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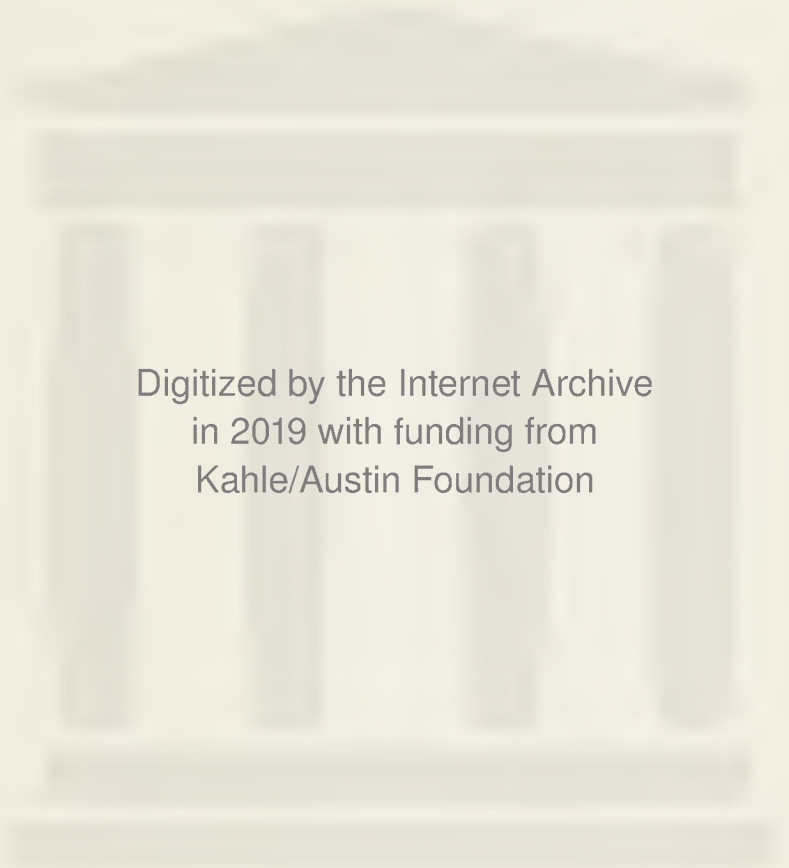
VOL. VIII

JOSEPH HOWE

SIR CHARLES TUPPER

LEMUEL ALLAN WILMOT

SIR LEONARD TILLEY



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JOSEPH HOWE

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THE MAKERS OF CANADA SERIES

Anniversary Edition

JOSEPH HOWE

BY

HON. J. W. LONGLEY

*Illustrated under the direction of A. G. Doughty, C.M.G., Litt.D.
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REVISER'S PREFACE

MR. JUSTICE LONGLEY, who wrote the Lives of Joseph Howe and Sir Charles Tupper in this series, was well qualified for the task. As a young man he fought with Howe in the struggle against Confederation, but turned against him when Howe entered the Dominion Cabinet. A long political life in Nova Scotia brought him into touch with many of Howe's contemporaries, and enabled him to understand the atmosphere in which the early battles were fought.

The Life of Howe had been begun by Principal G. M. Grant of Queen's University, whose four articles on Howe in the *Canadian Monthly* for 1875 are still known to all students of the period; at his death the task was assigned to Mr. George Johnson, at the time Dominion Statistician; and passed from him to Judge Longley, by whom it was completed.

Since then further researches of my own, embodied in *The Tribune of Nova Scotia*, have shed light on certain aspects of Howe's career, and I have endeavoured to incorporate them in this revised edition of Judge Longley's volume.

During the Judge's political career he was an opponent of Sir Charles Tupper, but after he himself had gone on the bench and Sir Charles

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had retired from active political life, they became intimate acquaintances and had many talks together over old days.

The official life of Sir Charles Tupper by the Rev. E. M. Saunders, D.D., has put some new information at our disposal, and this also I have endeavoured to incorporate.

W. L. GRANT

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CHAPTER I

BIRTH AND YOUTH

JOSEPH HOWE was born at Halifax, Nova Scotia, December 13th, 1804. Those who are familiar with the topography of Halifax have seen the beautiful sheet of water called the North West Arm, which lies on the western side of the city and forms the peninsula on which the city is situated. The scenery, though rugged, is delightful, and the cottage in which Mr. Howe was born was built on this Arm, two miles from the heart of the city, then containing scarcely more than ten or twelve thousand people.

His father was John Howe, who was descended from one of four brothers who came from the southern part of England to the New England States in the 17th century. John Howe was the only one of the family in New England who remained loyal to Great Britain at the time of the revolution, and he came to Nova Scotia after the evacuation of Boston. Mr. Howe was a Loyalist, devoted to England and British institutions, and he infused into his son a deep-seated regard and attachment for the empire. In a great speech delivered at Southampton, England, in 1851, Joseph Howe, referring to his father, uttered the following

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tribute, which gives a striking indication of his British tendencies:—

“His bones rest in the Halifax churchyard. I am his only surviving son, and whatever the future may have in store, I want when I stand beside his grave to feel that I have done my best to preserve the connection he valued, that the British flag may wave above the soil in which he sleeps.”

Mr. John Howe was first married in Boston to a Miss Minns, by whom he had three sons, John, David and William, and three daughters. On the death of his first wife, Mr. Howe married Mary Austin, *née* Edes, a daughter of Captain Edes, who with his wife and child had come out from England and by chance remained in Halifax. This second wife bore him two children, a son and a daughter. The daughter lived to be married, but died soon after at sea. The son was Joseph, whose achievements and career it is the purpose of this work to chronicle.

The task imposes unusual responsibility. To say that Joseph Howe ranks foremost amongst the statesmen produced in British North America and occupies a front position among the makers of Canada does not convey all that a full and just biography of the man would entail. Many men in British North America have been distinguished by successful public careers, and have earned a lasting place in the history of their country by their talents, achievements and devotion, but Howe, while

EDUCATION

unsurpassed as a statesman, possessed qualities not usually associated with public life. He was a man of vivid imagination, unfailing wit, a poet and *littérateur*, whose unique personality places him in marked contrast with most of the political leaders of British North America with whose names his must be historically associated. The brush that paints his character aright should have delicate touches and command of various hues and shades of colour.

Young Joseph Howe had few opportunities of obtaining an education. His father's house was two miles from the nearest city school and he was able to attend only in the summer months, when these two miles were traversed on foot each morning and afternoon. In winter he was kept at home. His father, however, was a man of culture. Shortly after his arrival in Halifax he became king's printer, and after that he held the important position of postmaster-general for the Maritime Provinces, including in his duties the care of the post-office at Halifax. He devoted himself to the cultivation of the mind of his youngest son, who spent his winter evenings in reading and study. During all his life Joseph was a voracious reader, and the librarian of the legislative library was heard to declare that Mr. Howe had read nearly all the books in the library.

Joseph, throughout his life, in his public utterances referred to his father with veneration. On one occasion, speaking of him, he used these words:—

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“For thirteen years he was my instructor, my playfellow, almost my daily companion. To him I owe my fondness for reading, my familiarity with the Bible, my knowledge of old colonial and American incidents and characteristics. He left me nothing but his example and the memory of his many virtues, for all that he ever earned was given to the poor. He was too good for this world ; but the remembrance of his high principles, his cheerfulness, his child-like simplicity, and truly Christian character, is never absent from my mind.”

Joseph had a splendid physique, and, as he grew to manhood, was finely proportioned, and of a robust constitution. He was fond of sports and of rambling in the woods, and very early gave indications of possessing a poetic temperament.

Although Mr. John Howe held offices to which slight emoluments were attached, he possessed no tendency to accumulate, and, as a consequence, at the age of thirteen, it was felt necessary that Joseph should obtain employment. His father was king's printer, so Joseph was employed in the office of the *Gazette*, and taught the trade of a printer, varying this occupation by occasionally assisting in the post-office at Halifax.

Thus it will be seen that Howe started his career without the advantages of a university education or even of a complete common school course, and he is not the only conspicuous instance of a man who has achieved, not only a distinguished position,



HALIFAX AND HARBOUR FROM DARTMOUTH, ABOUT 1760

Drawn on the spot by Richard Short

JOURNALISM

but an admirable command of English composition, without a study of the ancient classics.

During the ten years of apprenticeship Howe composed many fugitive poems, which appeared anonymously in the newspapers in Halifax. One poem entitled "Melville Island," attracted more than usual attention. Near the head of the North West Arm stands a little island, most picturesquely situated in a small cove, surrounded by verdure-covered hills. Upon this island was erected a military prison, very soon after the settlement of Halifax, and prisoners were confined there during the French war, and the war of 1812-15. At the time of the publication of the poem the Earl of Dalhousie was lieutenant-governor of the province, and he was so far impressed with the merits and beauty of the verses that he invited the young author to government house, loaded him with praise, and entered his name upon the invitation lists, which, considering the exclusive character of the government house coterie in those days, was an honour somewhat unusual, but, as events will show, not producing any marked results in the birth of aristocratic tendencies on the part of the recipient.

In 1827, when Howe was twenty-three years of age, having, as he conceived, sufficiently served his apprenticeship, he embarked, in connection with Mr. James Spike, on a journalistic career by purchasing the *Weekly Chronicle*, a newspaper which was then being published by Mr. William Minns. The name

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of the paper was changed to the *Acadian*, and Mr. Howe, at this early age assumed the duties of editor. It was not a political paper, and its columns give no indication of that wonderful mastery of political topics which its editor afterwards developed. It furnished news, and its editorial columns were devoted to sketches of scenery and local affairs. It was somewhat literary in its scope and published a considerable amount of poetry, much of it the composition of the editor.

Howe's connection with the *Acadian* was brief. Before the end of the year he sold his share in this paper to his partner and purchased the *Nova Scotian*. This ambitious and widely circulated paper was then owned by Mr. George R. Young, a son of Mr. John Young, the author of the *Letters of Agricola*, which had aroused the people of Nova Scotia to interest in agriculture, and a brother of William Young, who for many years occupied a commanding position in the political field in Nova Scotia, and afterwards became chief justice of the province, and was honoured with knighthood. Mr. Howe paid £1,050 for the *Nova Scotian*, and in January, 1828, he became sole editor and proprietor. It is probable that he was able to pay but a very small portion of this price at the beginning, and since in a small community the task of making a weekly newspaper profitable was far from being an easy one, many of Howe's friends had serious misgivings as to his ability to make the venture successful.

TOURS OF THE PROVINCE

Howe himself was duly sensible of the difficulties surrounding it, but he had a lion's heart and a cheerful disposition, and addressed himself to the work before him with unflinching courage and dauntless zeal.

At that time the English mails were fully two months on their passage, being carried by sailing packets, and the collecting of English and foreign news was therefore difficult and uncertain. Howe toiled day and night to give tone and character to the paper, and at the same time to secure for it a wide constituency throughout the province. He wrote its editorials and collected its news, and he introduced in the course of time a new feature in publishing reports of debates in the House, and of trials and arguments in the courts of law. Howe did the reporting himself, and Mr. Fenety describes him as seated in the gallery of the House day after day, taking notes upon the crown of his hat, and then, after the adjournment of the House, working until late at night making transcripts of his notes, with little time reserved for sleep.

In order to extend his paper's circulation and establish connections with the rest of the province, Howe was accustomed, when time permitted, to make tours of different parts of the province on horseback or on foot, for in those days railways and other easy and quick modes of communication were unknown. In this way he acquired a very intimate knowledge of all parts of the province, and of the

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views and feelings of the people, and he utilized such information as he was able to collect during these various tours for furnishing material for a series of charming letters entitled, "Rambles." These letters were written in an easy, conversational style, and set forth the splendid agricultural resources, the opportunities of developing industries, the need of commercial facilities, and, added to all, the scenic charms and beauties of the province. They awakened people to a sense of the value and importance of their country and aroused emulation, which has made itself felt, if not in active industrial development, at all events in a tendency to intellectual progress, which has placed Nova Scotia first in the number of ambitious and able men which it has contributed to the public life of British North America.

Shortly after assuming control of the *Nova Scotian*, in January, 1828, Mr. Howe was married to Catharine Susan Ann McNab, the daughter of Captain John McNab of the Royal Nova Scotia Fencibles. Mrs. Howe was a woman admirably adapted for the position of helpmeet and companion to a busy public man. She was endowed with excellent mental gifts, and above all, possessed of sound judgment and unerring common sense. Howe himself was inclined to be indifferent in financial matters, and somewhat impulsive, occasionally rash, in political movements, and Mrs. Howe usually exercised a wholesome restraining

MARRIAGE

influence upon the impetuous tendencies of her distinguished husband. She believed in him, had faith in him, and was ever ready to cheer him with her encouragement as well as restrain him by her counsel. As will be seen in the unfolding of Howe's character, he was a man of exceedingly social and convivial temperament, and, as he was from the earliest times quick in making friendships, unfailingly genial and fond of boon companionship, his house was always open to his friends. It sometimes happens that the most amiable wives are indisposed to have their domestic repose continually invaded by hosts of friends at all times and seasons. Mrs. Howe gracefully acceded to her husband's tendencies in this direction, and thus contributed not only to his enjoyment, but also to his power.

For seven years Howe devoted himself to his work of making the *Nova Scotian* the first and chief newspaper in Nova Scotia. In respect of politics his editorial career may be characterized as an evolution. During the first year the paper was devoted to his "Rambles," and to a series of clever papers entitled, "The Club." They were the joint offspring of several bright men, of whom Howe was the chief, and were framed somewhat on the model of the "Noctes Ambrosianæ." The chief contributors were Thomas C. Haliburton (Sam Slick), Lawrence O'Connor Doyle, Dr. Grigor and Captain Kincaid. These men, most of whom afterwards became distinguished, held their meetings and

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planned their sketches in Mr. Howe's house. Associated with them as Howe's friends were S. G. W. Archibald, Beamish Murdoch, Thomas B. Aiken, Jotham Blanchard, Andrew Shields and George Thompson. "The Club" dealt with the various questions of the day, including pointed references to prominent officials and public affairs.

In 1829, Howe published a history of Nova Scotia written by Haliburton, but antedating the publication of those inimitable sketches, beginning with "Sam Slick," which have since made his name favourably known to the English-speaking world. This book was a valuable contribution to the historical research of the province, but it proved to be an unsuccessful financial operation and Howe lost heavily on the publication. Howe and Haliburton, however, continued to be friends until the latter's death, although political differences inevitably arose at a later period, which, perhaps, somewhat diminished their intimacy for a time.

In 1829, Howe began to write upon political topics, and to deal with great independence, courage and dexterity with the questions which began in a more conspicuous manner to engage the attention of the legislature. It was in 1830, however, that he commenced the publication of his legislative reviews, which were afterwards continued from year to year. A seat in the press gallery and a careful reporting of the proceedings of a legislative body is, perhaps, the best possible training for a political career, and

POLITICAL EDUCATION

in this way Howe obtained a grip and mastery of the political situation in Nova Scotia difficult, if not impossible, of attainment by any other means. The press often affords better facilities for obtaining a political education than a seat in parliament. The member is in his place for three or four months in the year; the remainder of the time he is at his home attending to his duties. A political editor is in the field throughout the year, and follows with accuracy the movements on the political chessboard at all times and at all seasons.

CHAPTER II

COLONIAL GOVERNMENT

THE political problems confronting the people of Nova Scotia in 1830, when Howe began to take an active part in political discussions, were essentially the same as those which were agitating all the provinces of British North America. The struggles of the next few years in all parts of British North America may be characterized as an evolution of the principles of self-government. The imperial government was somewhat perplexed to determine an accurate policy in respect of that portion of North America which had remained loyal to the empire during the great revolutionary struggle, and had become the home of the United Empire Loyalists when the revolting colonies had obtained their independence. When the treaty of peace was signed in 1783, no very high estimate of the value of the remaining possessions in North America was entertained by the English people. The population was extremely small. Nova Scotia had only a few thousands of English-speaking people; New Brunswick was constituted a province not until 1784, and had but a paltry handful of settlers. Prince Edward Island was a small island with very few inhabitants, and Canada, which was

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the most important division of them all, meant at the beginning, for the most part, Lower Canada, which was preponderatingly French and governed very largely as a Crown colony.

The experience of the imperial authorities in governing the large English colonies, which had just successfully revolted, left them in a somewhat confused condition as to what course should be pursued in the government of those remaining loyal. If too much was conceded, they feared that revolt and independence would ensue; and, if too firm a policy was adopted, these small communities might be driven to cast in their fortunes with the republic beside them. To all, legislatures had been conceded, but to these legislatures all power was not committed. The legislative council, or second chamber, of all of them was composed of the direct nominees of the Crown, and these were chosen from the wealthy or official class especially devoted to maintaining the interests of the executive. The lieutenant-governor acted under a commission which gave him large control, and, therefore, while the legislature existed necessarily for the purpose of law-making, it did not for a moment possess the power of determining the political complexion or policy of the executive. It did not even possess the greatest leverage which the House of Commons from the earliest time has possessed, the control of supplies. The revenue of these provinces was derived from three sources: first, duties on certain

FREEDOM FROM CONTROL

classes of imports, which duties were collected by virtue of imperial acts, their control being vested in the governor; secondly, sales of Crown lands, also treated as a prerogative of the Crown, and the money received from these lands was at the disposal of the king's representative without respect to the legislature. In addition to these, there was another source of revenue derived from duties on imports imposed by the provincial legislature. The control of this money was in the hands of the people's representatives, but from the first two sources enough money was obtained for the purpose of carrying on the government, paying the salaries of officials from the lieutenant-governor down, including the judges and departmental officers of the government. Therefore, it was quite possible for the governor and his friends and officials to go on administering the affairs of the country according to their own views, whether the legislature was favourable or not, because they had at their own command the monies to pay their salaries and administer executive functions generally.

The result of this condition of things could easily be foreseen. The official class would continue to please themselves, and as one favourite departed from the scene another favourite would be chosen to occupy his place, and in consequence the real functions of government would be in the hands of a privileged class, and the great mass of the people

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permanently excluded from all hope of participation therein.

Such were the conditions of government in all the provinces. In Upper Canada the governing class was dubbed "the family compact"; in Lower Canada it was "the oligarchy"; in Nova Scotia those supporting the government were called "Tories," but the substantial point at issue was the same in all. English-speaking people, wherever placed, will invariably struggle for the right of self-government. The people of England were the very first who insisted upon popular representation and continued the struggle for several centuries, until the power of the House of Commons ultimately overshadowed the power of both the Crown and the Lords. At the time of which we speak Great Britain enjoyed the full privileges of responsible government. No administration could exist for a moment which did not command the support of the House of Commons, and the power of the Crown was limited by checks and guards which the constitutional privileges of the Commons had securely grasped. The sovereign could spend no money until it had been voted by the Commons; he could carry on no war until the means for sustaining such war had been voted by the Commons; his advisers must always be men who had the confidence of the people as represented in the Commons. As all these various provinces adhered to Great Britain, and as a considerable portion of the population were the descendants of



CHURCH OF ST. PAUL, HALIFAX, ABOUT 1760

Drawn on the spot by Richard Short

UNSATISFACTORY CONDITIONS

Loyalists who had sacrificed everything for British connection, naturally these men looked to England for models of government, and it was inevitable that nothing would ultimately satisfy them but a condition of responsibility to the people as full and ample as that which prevailed in the motherland.

Such a condition did not prevail in any of the British North American provinces in 1830. The lieutenant-governor, as has been seen, exercised powers under commission far in excess of those which any British sovereign would have dreamed of assuming. The members of the executive council were chosen at the will of the governor, and all the important offices of the province were in the hands of a few favourites, and, in the case of Nova Scotia, mostly members of the Church of England. It did not concern the members of the executive or such officials as the provincial secretary, the attorney-general, etc., whether the House of Assembly was favourable to their policy or not. Their tenure was the will of the Crown. If a vacancy in an important office occurred, the strings were at once pulled at Downing Street for appointment to the vacancy, and this system of favouritism and lack of responsibility to the popular will, not only prevailed in the capital and in connection with the government, but it existed in all the shire towns in respect to the county offices, such as sheriffs, prothonotaries and clerks of the Crown, customs officers, registrars of deeds, etc.

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Previous to Howe's advent to the political arena, many men had arisen in the legislature who were disposed to enlarge the powers of the House and curtail the extraordinary powers of the governing authorities. In Nova Scotia, one anomaly, especially objectionable, existed. The executive and legislative councils were identical, that is, the same men who, in their capacity as a second chamber, passed upon all laws, constituted the executive council to execute them. In this council sat the chief justice, the bishop, the collector of customs and other officials. When acting as a legislative council, while the legislature was in session, this body sat with closed doors and its deliberations were as secret as when acting in its capacity as an executive council. Such men as S. G. W. Archibald, Alexander Stewart, Beamish Murdoch, Jotham Blanchard and others had already begun to assert the powers and privileges of the House of Assembly, and by a free criticism of the existing conditions had frequently come into conflict with the "Council of Twelve," as the legislative and executive council was then called, (owing to the fact that it was composed of twelve members). Through the influence and agency of these men, a large proportion of the population of the various counties had become imbued with liberal principles; but these leading reformers had always been careful to avoid any definite or far-reaching measures which would bring them into direct conflict with the governor and

ADVANCING LIBERALISM

the influential men who surrounded him. At that time government house was the social centre of the city and no man who aspired to occupy an important place in the affairs of the province cared to risk exclusion from the governor's dinner table. The consequence was, that, notwithstanding the existence of a Liberal party contending for the rights of the people in the House of Assembly, nothing definite in the way of sweeping away existing abuses or of introducing a system of executive responsibility had been yet accomplished.

Mr. Howe as early as 1830 began in his newspaper to take an active part in the discussion of political matters, at first with considerable prudence and impartiality, but by degrees he became imbued with Liberal principles, and the columns of the *Nova Scotian* for the next five years exhibited a steady advancement on the part of Howe in the direction of ultra reform principles. In 1830 a general election took place, and Howe took an active part in supporting candidates of the popular party in this election. The composition of the assembly returned was decidedly favourable to those who were struggling for a system of popular government, but, during the five or six years that this legislature continued, nothing substantial was accomplished, and all the efforts of the so-called reformers ended in failure. They were, as a matter of fact, constantly overawed and baffled by the council of twelve. Howe, during this period began

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to write boldly in support of reform measures, and not only gave offence to the government by his attitude, but also drew upon his head the enmity of the Liberal members by stoutly demanding that they go forward and do the work for which they were elected.

In 1835 fate presented a great opportunity to Howe. At this time the city of Halifax had no charter and was governed as a part of the county of Halifax by a bench of magistrates appointed by the governor, and in no sense responsible to the people. The general belief then prevailing was that this bench of magistrates had become negligent and corrupt in the administration of the affairs of the city, and Howe was quite free with his criticisms of this body from time to time. At last he published a letter signed "The People," arraigning the magistracy of Halifax in scathing terms. The writer declared that he ventured to affirm, without the possibility of being contradicted by proof, that the magistracy had by one stratagem or another taken from the pockets of the people in fines, exactions, etc., amounts in the aggregate that would exceed £30,000. "Could it not be proved," he said, "and is it not notorious that one of the present active magistrates has contrived for years to filch from one establishment, and that dedicated to the poor and destitute, at least £300 per annum?" He further declared that from the pockets of the poor and distressed at least £1,000 was drawn annually and

PROSECUTION FOR LIBEL

pocketed by men whose services the country might well spare.

The result of the publication of this letter was startling. The magistrates of Halifax, a powerful body, tendered their resignation, and they also demanded the prosecution of Howe for libel. The attorney-general submitted an indictment for criminal libel to the grand jury of the county, and a true bill was found. The magistrates believed, undoubtedly, at this moment that Howe, whose newspaper was becoming very troublesome to the governing class, was about to be destroyed. It was known that he was without means and that the entire influential class was hostile. He would be tried by a chief justice appointed by the governor, and a member of the council of twelve. He would be prosecuted by an attorney-general identified with the government and interested in maintaining the privileges of the chosen few. Once convicted and sentenced to imprisonment, as they hoped, his paper would be destroyed, he himself discredited and ruined, and a blow thereby struck which would have its due moral effect upon any other incipient reformer who might essay to follow in his footsteps.

Howe's conduct in respect to this libel suit marks in a striking manner the moral fibre of the man. He has furnished an account of his course when confronted with the indictment. This is probably the most authoritative statement of the matter:—"I went to two or three lawyers in

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succession, and showed them the attorney-general's notice of trial, and asked them if the case could be successfully defended. The answer was 'No. There was no doubt that the letter was a libel. That I must make my peace or submit to fine and imprisonment.' I asked them to lend me their books, gathered an armful, threw myself on a sofa and read libel law for a week. By that time I had convinced myself that they were wrong and that there was a good defence, if the case were properly presented to the court and jury. Another week was spent in selecting and arranging the facts and public documents on which I relied. I did not get through before a late hour of the evening before the trial, having only had time to write out and commit to memory the two opening paragraphs of the speech. All the rest was to be improvised as I went along. I was very tired but took a walk with Mrs. Howe, telling her as we strolled to Fort Massey, that if I could only get out of my head what I had got into it, the magistrates could not get a verdict. I was hopeful of the case, but fearful of breaking down, from the novelty of the situation and from want of practice. I slept soundly and went at it in the morning, still harassed with doubts and fears, which passed off, however, as I became conscious that I was commanding the attention of the court and jury. I was much cheered when I saw the tears rolling down one old gentleman's cheek. I thought he would not convict me if he could help it. I

A BOLD RESOLVE

scarcely expected a unanimous verdict, as two or three of the jurors were connections, more or less remote, of some of the justices, but thought they would not agree. The lawyers were all very civil, but laughed at me a good deal, quoting the old maxim that 'he who pleads his own case has a fool for a client.' But the laugh was against them when all was over."

Up to this period, although for seven years actively engaged in newspaper work, there is no record that Howe had ever undertaken to deliver a speech in public, and yet, rejecting the advice of the lawyers, he was proposing to face a court politically hostile, the attorney-general and associate counsel, and boldly make his own defence in a criminal action, in which under the rules of law, he would be precluded from offering evidence in support of the truth of the statements in the libel. The difference between a great man and an ordinary commonplace man is usually manifested by one or two striking incidents. The ordinary man, in Howe's situation, would have made his peace with the magistrates. A careful apology would have been drawn up and published in the *Nova Scotian*, the proceedings withdrawn, and the abuse not only continued but fortified by this token of cowardly surrender. The great man, the heaven-inspired hero, is he who is able to brush aside all considerations of expediency, all timorous opportunism, and recognizing the moral principles involved in the issue, boldly

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dares to put everything at stake and challenge fate. Such a man was Joseph Howe, and in the splendid heroism which characterized his action in 1835 we have the key to the qualities and character of one of the greatest men British America has yet given to the world.

The day of trial came. Sir Brenton Halliburton, the chief justice, presided, Mr. S. G. W. Archibald, the attorney-general, prosecuted, and with him was associated Mr. James F. Gray, a well known advocate. A jury was sworn, and Mr. Gray opened the case for the Crown. At the conclusion of the opening address Mr. Hugh Blackader was called to prove publication, but did not appear, because, being in warm sympathy with Mr. Howe, he refused to attend. Steps were about to be taken to issue a warrant for his arrest. Not to be excelled in generosity, Howe arose promptly and admitted that he was the proprietor of the *Nova Scotian*, and that the article had appeared in that paper on January 1st, with his knowledge. The Crown's case being thus admitted, Howe rose to speak in his own defence. That speech has been preserved and can be found in the "Speeches and Public Letters." It was delivered by a layman, unused to courts, and at that time unused to public speaking. Many of the topics dwelt upon in his speech were local in their character and are of no permanent interest to the world, but nevertheless, it is scarcely going too far to say that the whole history of forensic eloquence

THE ADDRESS

in British jurisprudence has rarely furnished a more magnificent address to a jury than Mr. Howe's, and certain passages of it will not suffer when placed side by side with the great forensic orations of Burke, Sheridan, Erskine and Webster.

One would have expected some timidity from a man situated as Howe was, but he had scarcely proceeded ten minutes before he assumed a bold and aggressive tone, and this he maintained to the end. He commented very early upon the fact that instead of taking proceedings against him civilly for libel, in which case he would have been able to furnish proof of the statements, they had chosen to proceed criminally, by which method all enquiry as to the truth or falsity of the libel was precluded, and only his motive in publishing it could be judicially enquired into. "Why," he demands, "if they were anxious to vindicate their innocence, did they not take their proceedings in a form in which the truth or falsity of the statements made could have been amply enquired into?" And then he answers the question in these terms:—

"Gentlemen, they dared not do it. Yes, my Lords, I tell them in your presence and in the presence of the community whose confidence they have abused, that they dared not do it. They knew that 'discretion was the better part of valour,' and that it might be safer to attempt to punish me than to justify themselves. There is a certain part of a ship through which when a seaman crawls, he

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subjects himself to the derision of the deck, because it is taken as an admission of cowardice and incompetence ; and had not these jobbing justices crawled in here through this legal lubber-hole of indictment, I would have sent them out of court in a worse condition than Falstaff's ragged regiment—they would not have dared to march, even through Coventry, in a body."

It is difficult to avoid the temptation of quoting many passages from this remarkable speech, but, as it occupied six and one-quarter hours in delivery and covers many pages, this is impossible. A paragraph or two of the peroration may be fittingly inserted, which cannot fail to impress any one possessed of a shadow of sentiment or imagination with the wonderful power of this young man.

"Will you, my countrymen, the descendants of these men ; warmed by their blood ; inheriting their language ; and having the principles for which they struggled confided to your care, allow them to be violated in your hands ? Will you permit the sacred fire of liberty, brought by your fathers from the venerable temples of Britain, to be quenched and trodden out on the simple altars they have raised ? Your verdict will be the most important, in its consequences, ever delivered before this tribunal ; and I conjure you to judge me by the principles of English law, and to leave an unshackled press as a legacy to your children. You remember the press

INDEPENDENCE OF THE PRESS

in your hours of conviviality and mirth—oh! do not desert it in this its day of trial.

“If for a moment I could fancy that your verdict would stain me with crime, cramp my resources by fines, and cast my body into prison, even then I would endeavour to seek elsewhere for consolation and support. Even then I would not desert my principles, nor abandon the path that the generous impulses of youth selected, and which my riper judgment sanctions and approves. I would toil on, and hope for better times—till the principles of British liberty and British law had become more generally diffused, and had forced their way into the hearts of my countrymen. In the meantime I would endeavour to guard their interests—to protect their liberties; and, while Providence lent me health and strength, the independence of the press should never be violated in my hands. Nor is there a living thing beneath my roof that would not aid me in this struggle; the wife who sits by my fire-side, the children who play around my hearth; the orphan boys in my office, whom it is my pride and pleasure to instruct from day to day in the obligations they owe to their profession and their country, would never suffer the press to be wounded through my side. We would wear the coarsest raiment; we would eat the poorest food; and crawl at night into the veriest hovel in the land to rest our weary limbs, but cheerful and undaunted hearts; and these jobbing justices should feel, that one frugal

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and united family could withstand their persecution, defy their power, and maintain the freedom of the press. Yes, gentlemen, come what will, while I live, Nova Scotia shall have the blessing of an open and unshackled press."

He was replied to by the attorney-general, and the jury was charged by the chief justice, whose instructions to the jury were decidedly unfavourable to the defendant. In summing up he said:—"In my opinion, the paper charged is a libel, and your duty is to state by your verdict that it is libellous."

It is needless to say that the court-house was thronged from beginning to end of the trial, which occupied two days. After the judge's charge the jury retired, but they only deliberated ten minutes. When they filed into the box and pronounced their verdict—"Not guilty," the immense crowd in and out of the court-house burst into vociferous cheers. On leaving the court-house, Howe was borne to his home upon the shoulders of the populace. Bands paraded the streets all night, and Howe was compelled during the course of the evening to address the crowd from the windows of his house. He besought them to keep the peace, to enjoy the triumph in social intercourse round their own firesides, and to teach their children the names of the twelve men who had established the freedom of the press. Shortly afterwards a number of Nova Scotians residing in the city of New York raised a

ELECTED TO THE HOUSE

subscription and purchased a solid silver pitcher, bearing this inscription:—"Presented to Joseph Howe, Esq., by Nova Scotians resident of New York, as a testimony of their respect and admiration for his honest independence in publicly exposing fraud, improving the morals, and correcting the errors of men in office, and his eloquent and triumphant defence in support of the freedom of the press. City of New York, 1835."

This was forwarded to Halifax and presented to Mr. Howe publicly by a committee of leading citizens, and accepted by him in a graceful and modest speech.

This prosecution for libel, by one sudden bound, placed Howe in a most conspicuous place in the eyes of his fellow-countrymen. Early in the next year, 1836, the House of Assembly was dissolved and Howe and William Annand were chosen as the Liberal candidates for the metropolitan county of Halifax. Thus began the intimate friendship between these two men, which lasted without interruption until they separated, in 1869, upon the Repeal question. Both Howe and Annand were elected by large majorities. In his speeches on the hustings prior to this election, Mr. Howe laid down clearly the principles of government which he was seeking to establish in Nova Scotia. These may be epitomized in the following extract from one of his speeches:—

"In England, one vote of the people's representa-

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tives turns out a ministry, and a new one comes in, which is compelled to shape its policy by the views and wishes of the majority; here we may record five hundred votes against our ministry, and yet they sit unmoved, reproducing themselves from their own friends and connections, and from a narrow party in the country, who, though opposed to the people, have a monopoly of influence and patronage. In England the people can breathe the breath of life into their government whenever they please; in this country, the government is like an ancient Egyptian mummy wrapped up in narrow and antique prejudices—dead and inanimate, but yet likely to last forever. We are desirous of a change, not such as shall divide us from our brethren across the water, but which will ensure to us what they enjoy. All we ask is for what exists at home—a system of responsibility to the people extending through all the departments supported at the public expense.”

Thus, at length, Howe has achieved a seat in the assembly of his native province. The situation at that moment demanded high service if the entrenched system of irresponsibility and favouritism was to be swept away, and a form of responsible government established. The task must fall upon the shoulders of a man especially fitted for this work. No man had up to this time appeared upon the scene who had given evidence of the qualities necessary to achieve this great purpose, and it must

HOWE'S QUALITIES

be understood that the process by which responsible government could be extorted from the imperial authorities and made applicable to one province would be available for all the other British American provinces, and, indeed, would constitute a model for colonial government throughout the empire. It may be fitting for a moment to examine Howe's endowments for the great task which was now before him.

Howe had a splendid physique and an excellent physical constitution. His height was a little above the medium, with broad shoulders, well expanded chest, and a neat, well-formed figure with tapering limbs. He was reputed at the time to possess great physical strength and power. While lacking a scholastic education, he had, nevertheless, the advantages of a thorough training in journalism and had improved his mind by a wide range of reading of the best authors. Shakespeare seems to have been his favourite, and he was intimately familiar with his plays. His temperament was buoyant, and he may be characterized as a splendid optimist. He was eminently social and brimful of humour, which bubbled forth from hour to hour in his daily intercourse with his fellow-men. His mental powers were of the highest order; his mind was incapable of narrow views, and he looked at all questions from the broadest prospective. He had acquired a matchless style in writing, easy, natural, terse, luminous and spiced with an unfailing touch of human nature

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and graceful humour. Previous to his great speech at his trial for libel, he was not known to possess any special talent as a public speaker. That occasion revealed remarkable powers of eloquence, and from the time he entered parliament to the end of his career he enjoyed without diminution the reputation of being one of the greatest orators of his day and generation. His style of public speaking differed totally from that of other great men in British America with whom he may be contrasted. These brought information and sound reasoning to their public utterances, but, while Howe was surpassed by none in the range of his knowledge on great questions which he discussed, and had extraordinary powers of lucidity in unfolding his views and presenting his ideas in a plausible and taking manner, he differed from all his compeers in the wealth of imagination which he could throw upon any subject with which he was dealing, the delightful humour, and, above all, the subtle and irresistible personal magnetism which marked all his great public utterances. These are rare endowments, but they do not constitute the supreme test of Howe's fitness for the great work before him. Intellectual endowments and capacity to speak and write effectively are important qualities for a public man and political leader, but, beyond these, great occasions require moral stamina, dauntless courage, and these constitute Howe's crowning glory. His father's instincts were Tory,

MORAL HEROISM

his three elder brothers were distinctly in sympathy with the dominant Tory views of the day. All the influential agencies surrounding the capital and the outlying county towns were hostile to any radical change in the existing condition of affairs, and these elements formed a strongly entrenched power which it was difficult to resist and dangerous to attack. Howe, as has been said, was of an eminently social disposition and no one was better fitted to shine in society. To attack existing powers meant social ostracism, a penalty from which most men would shrink with dismay. It also meant that upon his head would fall all the thunder-bolts of ridicule and contempt which entrenched power can fulminate. Those who had been professedly fighting the battles in the assembly were not devoid of intellectual strength and of parliamentary eloquence and power, but they lacked the moral heroism which could challenge the worst and bring matters to a crisis. Such a man was Joseph Howe, and the events will presently show that he was one of those heroes so graphically portrayed in Carlyle, as now and then vouchsafed by Providence to mankind to straighten out the tangles which injustice and incompetency have created, and to introduce a new epoch into the conditions of human affairs. The history of the world is the biography of its great men. Howe was distinctly a maker of history.¹

¹ See appendix A

CHAPTER III

RESPONSIBLE GOVERNMENT

THE general elections had been held in 1836 and the new parliament was called together early in 1837. The House of Assembly contained many men of experience and eminence. Mr. S. G. W. Archibald had for some time been a leader of the popular party and was a man of education and ability. Mr. Alexander Stewart, who had been associated with those fighting the battle of the assembly, was also an eminent lawyer and a man who has attained a recognized position in the history of the province. Mr. John Young (father of Sir William) was also a member of the assembly and a man of large and progressive views. Mr. Lawrence O'Connor Doyle was a man of the most delightful character, whom Mr. Howe—not a poor judge of such matters—regarded as the wittiest man he had ever met, and whose political career was only marred by his excessive indulgence in conviviality. Mr. James Boyle Uniacke was also in this legislature, and might be regarded, perhaps, as the leader and spokesman of the Tory party. Howe was thirty-two years of age, he was taking his seat in the legislature for the first time, and the task before him was, not only to confront those in

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this assembly who were unfavourable to a change in the constitution of the country, but to grapple also with those conciliatory Liberal members, who were necessarily alarmed at the uncompromising manner in which the young member seemed determined to challenge existing conditions.

On the first day this new parliament met, Howe was upon his feet with a resolution which indicated the temper of his mind and the line of action which might be expected from him. It was in connection with the appointment of a chaplain. Although at that time the population of Nova Scotia was over 150,000, and the Church of England numbered less than 30,000, that body had nearly a monopoly of all the public offices, and of positions with emoluments attached. The council of twelve was composed of eight Episcopalians, three Presbyterians and one Catholic, and from time immemorial the chaplain of both Houses was chosen, as a matter of course, from the Episcopalian clergy. Howe's first resolution, when the appointment of a chaplain had been moved, was to this effect:—

“Resolved, That, representing the whole province, peopled by various denominations of Christians, this House recognizes no religious distinctions, and is bound to extend not only equal justice, but equal courtesy to all.”¹

The first and pressing question which agitated the assembly was the constitution of the legislative

¹ See appendix B

EXCLUSION OF THE PUBLIC

council. On the opening day, after the routine business had been disposed of, Mr. Doyle moved and Mr. Howe seconded the following resolutions:—

“Resolved, That the practice hitherto pursued by His Majesty’s legislative council in this Province, of excluding the people from their deliberations, is not only at variance with that of the House of Lords in England, and that of several of the legislative councils in the other British North American colonies, but contrary to the spirit of the British constitution, and injurious to the interests and liberties of this country.

“Resolved, That while this House has no desire to deny to the upper branch of the legislature the right enjoyed by the representatives of the people, and sanctioned by public opinion, of closing their doors during the discussion of questions of order and privilege, and on particular occasions, when the public interest may require secret deliberation, yet they should fail in their duty if they did not express to His Majesty’s council the deliberate conviction of those they represent, that the system of invariable exclusion, pursued for a series of years, and still pertinaciously continued, is fraught with much evil, and has a tendency to foster suspicion and distrust.

“Resolved, That this House is prepared to provide the expenses which may be incurred for the accommodation of the public in the legislative council chamber.

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“Resolved, That the clerk do carry these resolutions to the council, and request their concurrence.”

In support of these resolutions Howe made his maiden speech. With slight amendments these resolutions were adopted by the House unanimously.

It was clear after the election that the popular party had obtained a commanding position in the new assembly, and it was not considered judicious by those who were really in sympathy with the oligarchy to make a stand upon this question, because public opinion throughout the province was distinctly opposed to the existing position of the legislative council, especially in its dual character as the executive, and to the holding of its legislative deliberations behind closed doors.

To these resolutions the council on February 4th, forwarded to the House a reply, in which it was set forth that His Majesty's council denied the right of the House to comment on its mode of procedure; whether their deliberations were open or secret was their concern and theirs only.

This message was received by the popular party in the House with just indignation and considerable anxiety, while of course it was the occasion of mirth and exultation in Tory circles. It was felt on all sides that it was necessary to deal with the matter in some form. Mr. John Young, who was recognized as a consistent and sturdy Liberal, proposed a series of conciliatory resolutions in the hope of inducing

BOLD RESOLUTIONS

the council to recede from its haughty position. Mr. Howe saw clearly that the adoption of these tame expressions of opinion would be simply dallying with the question and pursuing the innocuous and futile policy which had characterized the Reform party in the previous parliament. He accordingly conceived the idea that no course was left to him but boldly to propose a series of resolutions in amendment to those of Mr. Young, couched in terms so clear and so emphatic as to make a clean cut issue with the council, and carry the matter, if need be, to the imperial authorities. It is not difficult to see that this was a bold course for a young man, who had scarcely been a fortnight in the legislature, to take; and the boldness of his action is emphasized by the fact that it could not fail to bring down upon him the displeasure of the recognized leaders of his party.

In presenting these resolutions Howe made a speech of great length. Impressed with the seriousness of the position he was taking, he says in the course of his splendid speech:—

“It is one which I should not have assumed, did I not deeply feel that it involves the peace and freedom of Nova Scotia; and although, when applied to her alone, these principles may appear of little importance, when I take a broader view—when my eye ranges over our vast colonial possessions—when I see countries stretching through every clime, and embracing many millions of people

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more than the islands to which they belong, and when I reflect that upon a right understanding of these principles, a fair adjustment of these institutions, depends the security and peace of these millions of human beings, my mind warms with the subject, and expands with the magnitude of the theme. Sir, I ask for nothing but justice and responsibility, sanctioned by the spirit and forms of the British constitution. The idea of republicanism, of independence, of severance from the mother country, never crossed my mind. Centuries hence, perhaps, when nations exist where now but a few thousands are thinly scattered, these colonies may become independent states. But it will not be in my time; and when it arrives, if it be permitted to us to look down from the other world upon the destinies of our country, I trust hers may be one of freedom and of peace. But, as there is now no occasion, so have I no wish for republican institutions, no desire to desert the mighty mother for the great daughter who has sprung from her loins. I wish to live and die a British subject, but not a Briton only in the name. Give me—give to my country the blessed privilege of her constitution and her laws; and as our earliest thoughts are trained to reverence the great principles of freedom and responsibility, which have made her the wonder of the world, let us be contented with nothing less. Englishmen at home will despise us, if we forget the lessons our common ancestors have bequeathed.”

DEBATE ON THE RESOLUTIONS

A protracted and somewhat fierce debate followed. Mr. Alexander Stewart, one of the popular leaders, became alarmed, and straightway went over to the government. Howe closed the debate in another speech, concluding with these beautiful and pregnant words: "Sir, when I go to England, when I realize that dream of my youth, if I can help it, it shall not be with a budget of grievances in my hand. I shall go to survey the home of my fathers with the veneration it is calculated to inspire; to tread on those spots which the study of her history has made classic ground to me; where Hampden and Sydney struggled for the freedom she enjoys; where her orators and statesmen have thundered in defence of the liberties of mankind. And I trust in God that when that day comes, I shall not be compelled to look back with sorrow and degradation to the country I have left behind; that I shall not be forced to confess that though here the British name exists, and her language is preserved, we have but a mockery of British institutions; that when I clasp the hand of an Englishman on the shores of my fatherland, he shall not thrill with the conviction that his descendant is little better than a slave."

These twelve resolutions proposed by Mr. Howe are so vital to a proper conception of the question of responsible government that they should be read carefully in their entirety (see Appendix C.) In spite of the opposition of the friends of the govern-

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ment in the House and of the bitter hostility of some of those who were formerly associated with the Reform party, Howe succeeded, with some slight amendments, in securing the passage of every one of these twelve resolutions, some of them by substantial majorities, and soon afterwards moved for a committee to prepare an address to the Crown embodying the resolutions.

Three days later there came a message from the legislative council so pronounced and decisive in its character as to create the greatest excitement in political circles. It vehemently resented the manner in which the House had commented upon the council and its conduct, and intimated in plain terms that unless one obnoxious resolution was rescinded it would inevitably result in the interruption of the public business. This meant, of course, that they would refuse to pass the supply bill. It was an heroic remedy which the council had previously resorted to with impunity, since the Crown revenues were ample for paying the salaries and carrying on the functions of government, whereas the provincial revenues were devoted to the road and bridge service and other matters of importance in developing the interior of the country. If the monies were not appropriated for these purposes, all these important services would have to remain unperformed, which would be not only a serious thing for the country, but would tend to compromise the member with his constituents.

A DISCONCERTING MESSAGE

The receipt of this message occasioned the greatest possible anxiety to the popular party in the House. To yield to the council in this point meant a perpetuation of existing abuses. Stoutly to maintain their position on these pregnant resolutions meant the loss of the revenue, and the absence of any money to spend for the necessary development of a young, scattered and growing province. Many wise-acres shook their heads and said that Mr. Howe had precipitated matters in a rash and hasty manner and that the responsibility must fall upon his head, and his enemies were disposed to think that he had fallen into a fatal blunder, which would injure his prestige and, perhaps, destroy his career.

The day on which the council's message was to come up for consideration, Howe was not at first in his place, and no one knew what course he would pursue; and his attitude was of some importance, because, although he had only just taken his seat, in this comparatively short time he had come to be looked upon as a leader and guide in this great struggle for popular rights. At last Howe walked into the chamber, buoyant as ever, with that jaunty manner and cheerful smiling face, which never failed, in the long years in which he was associated with the political struggles of his province, to give confidence to his friends. At the proper time he arose and announced his determination. He had anticipated, he said, the action of the council, and was prepared for it. The revenue should not be lost; the resolu-

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tions had done their work; they had tested the opinion of the House; they had gone, with the debates upon them, to the country; they would go to England, and even if rescinded the very coercion under which the act was done would illustrate the overweening power of the upper branch and the defective constitution of the country. He would not rescind the single resolution complained of, but would move to rescind the whole, and then ask for a committee to prepare an address to the Crown upon the state of the province. What that address would contain was matter for after consideration, when the revenue bills had been passed.

The resolutions were rescinded; the revenue bills were secured, and within a few days of the close of the session an address to the Crown was reported and passed, which embodied all the resolutions, and elicited those important despatches from Lord Glenelg, which were laid before the House the next session and led to important results. It must not be inferred that, jaunty as was his manner of doing it, the rescinding of these resolutions occasioned Mr. Howe no concern. We know from the best sources of information that he wrestled anxiously all night with the vexatious problem, and yielded to the painful necessity only after a prolonged struggle.

The adroit manner in which Howe had met this serious situation enhanced his reputation, baffled the confident anticipations of his enemies, and

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gave added confidence to his friends. After the revenue bills were passed, Howe moved his address to the Crown, and carried it by a substantial majority. This address, together with the counter statement of the council of twelve, was forwarded to the colonial office by Sir Colin Campbell, at that time lieutenant-governor of Nova Scotia. During the recess, despatches were received from Lord Glenelg, secretary of state for the colonies, which, while not conceding the full measure of responsible government for which Howe was resolutely contending, went very far towards meeting the just demands of the House of Assembly. In his despatch to Sir Colin Campbell, Lord Glenelg instructed him to substitute two councils for one, that is, a legislative council was to be appointed for purposes of legislation, and a second council was to be appointed for the purposes of government. In forming these councils the governor was instructed to select men from all parts of the province and from the various religious denominations. He concurred in the proposition that the chief justice should be excluded from both of these councils, and the governor was recommended to call to his councils those representative men of the House of Assembly who enjoyed the confidence of the people's representatives; and the desire of the House of Assembly to have the control of the casual and territorial revenues was conceded upon the condition that the assembly should provide permanently

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for the payment, according to a civil list submitted, of the salaries of certain officials, such as the governor, provincial secretary, judges, attorney-general, solicitor-general, etc. To illustrate the fact that the colonial office was not yet prepared to concede the principle of executive responsibility in colonial government, an extract from one of Lord Glenelg's despatches will suffice:—

“The language of the address would seem to indicate an opinion, which is not yet distinctly propounded, that the assembly of Nova Scotia ought to exercise over the public officers of that government a control corresponding with that which is exercised over the ministers of the Crown by the House of Commons. To any such demand Her Majesty's government must oppose a respectful, but, at the same time, a firm declaration, that it is inconsistent with a due adherence to the essential distinctions between a metropolitan and a colonial government, and is, therefore, inadmissible.”

Upon the receipt of these despatches, Sir Colin Campbell and his advisers created two councils, and forwarded the names for approval to the colonial office. The legislative council consisted of nineteen members, but it was composed, to a preponderating degree, of those favourable to the governing party, and leading Reformers were carefully omitted. The executive council was also formed very much upon the same lines, but with some objectionable persons omitted. Four members

A STEP BACKWARDS

of the executive were drawn from members of the House of Assembly, but they were those in sympathy with government house and officialdom, with the exception of Mr. Herbert Huntington, who was a sturdy advocate of reform and a supporter of Mr. Howe. During the session of 1838, however, it was announced that the legislative and executive, so formed by Sir Colin Campbell, had been dissolved, and new bodies created under instructions of Lord Durham, the governor-general. According to instructions from the colonial office, the number of members of the executive was limited to nine, and the legislative council to fifteen members. When the new eouncillors were gazetted, it appeared that Mr. Herbert Huntington, the only Liberal on the executive, had been left out, and the legislative council was composed almost exclusively of men hostile to responsible government.

After these appointments had been gazetted, Howe in his place in the assembly delivered an important and able speech, in the course of which he pointed out the numerous advances which had been made already as the fruit of the efforts of the assembly in the previous session, and indulged in a tone of justifiable triumph concerning the great concessions which had been freely made by the imperial authorities.

Later in the session another address to the Crown was proposed, expressing appreciation of the gracious consideration which had been given to the

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previous representations of the assembly, but pointing out among other things that in the formation of the executive and legislative councils the sentiments and wishes of the people at large had been ignored and that places in these councils had been conferred upon those who did not command the confidence of the people, and urging other complaints in respect of the existing system of government. The answer to this despatch was laid upon the table of the House in the session of 1839 and was distinctly unfavourable. The offer of the casual revenues was withdrawn, the councils as they stood were sustained, the judges' fees were abandoned, but these officers were compensated out of the public revenues. The request that all the outports at which collectors were maintained should be open was evaded, and five or six bills passed during the previous session were disallowed.

The only course now, it was felt, was to send a delegation representing the views of the majority to England. The tone of the latest despatches clearly indicated that both the governor and the executive were unduly influencing the colonial office. A series of resolutions was moved in the House on the subject of the popular grievances, concluding with one to the effect "that two members possessing the confidence of the House be appointed to proceed to England and represent to Her Majesty's government the views and wishes of this House and the people of Nova Scotia on the

THE REBELLION OF 1837

subjects embraced in the foregoing resolutions, and such other matters as might be given to their charge." The debate upon these resolutions was a fierce and protracted one. The lines between parties were being formed. The members of the government in the House, with Mr. J. B. Uniacke at their head, were distinctly resisting, with the assent of the governor, Howe's plans for securing responsible government and a recognition of the rights of the people, while Howe had behind him a compact majority of men who were determined to follow him, without wavering, in the pursuit of the great and important end he had in view.

At this particular juncture the popular party in Nova Scotia was considerably hampered by the reports of rebellion and bloodshed which came from the upper provinces. The unwise insurrection led by William Lyon Mackenzie and others in Upper Canada, and the precipitate resort to arms under the leadership of Papineau in Lower Canada had a tendency to cast aspersion upon the popular party in Nova Scotia. It was claimed that they were making demands which would lead also to sedition and rebellion. It is, perhaps, the greatest tribute that can be paid to Howe's sagacity as a public man, that, though entirely new to the political scene, and called upon to assume leadership at the moment of his entering the assembly, and resenting bitterly the denial of popular rights by the governing bodies, he was never for a moment

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betrayed into taking a step which was not strictly constitutional and within his rights as a legislator in a British colonial parliament. When the news of the insurrection first reached Nova Scotia, Howe was able to publish a very able letter addressed to Mr. H. S. Chapman, a leader of the Lower Canadian extremists, who had written to Howe to secure his coöperation in the Liberal movement there. This letter was dated October, 1835, before Howe had entered the legislature. In it he frankly points out the apparent aim of the agitators in Lower Canada—separation from Great Britain and the establishment of republican institutions, and he tells him plainly that no such idea animates the Maritime reformers, who love British institutions and intend to secure their full rights, by constitutional means, within the empire. Such a statesman-like exposition of the situation at so early a stage of the struggle for self-government is a striking illustration of the great mental endowments of Mr. Howe, and his letter to Mr. Chapman, when published, elicited the highest encomiums of the English press.¹

¹ At the time of the rebellion in Canada, a regiment of British soldiers was sent from Halifax to uphold the imperial authority. A meeting to raise funds to support the wives and children of the soldiers was made the occasion of a loyal demonstration, and some of the Tory officials were disposed to take advantage of the incident to hint in their speeches at the dangers of agitation in this quarter. Mr. Howe was promptly on his feet, and in a magnificent speech vindicated the loyalty of himself and his associates, and completely captured the meeting

REFORM WITHOUT BLOODSHED

Mr. Howe had faith in British institutions, and believed that, when the issues were thoroughly discussed and clearly understood, all that Reformers were now struggling for could be accomplished without compromising the loyalty of a single individual or disturbing the peace of any province or community. Indeed, it may be fairly claimed that the principles laid down by Howe and his broad, clear and statesmanlike representation of the situation to the colonial secretary were the means of securing an enlightened system of self-government in all the rapidly growing colonies of the British empire. The necessity of resorting to rebellion in the Canadas in 1837 is an indictment against the wisdom and judgment of the leaders of the popular party, and it redounds to the eternal glory of Joséph Howe that he achieved within the compass of a few years everything the most advanced colonial statesman could desire by perfectly constitutional means and without causing a single drop of blood to be shed.

In the debate upon the proposition to send delegates to England, Howe entirely vindicated himself and his party from any reflections that might be cast upon them owing to the folly committed by the extremists in the Canadas. The resolutions were adopted by substantial majorities, and Mr. Herbert Huntington and Mr. William Young, afterwards Sir William Young, chief justice, were chosen as delegates to proceed to England. Mr. Howe would

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naturally have been selected owing to his leading position in the popular party, but he thought it would strengthen his position if he made it impossible to have charged against him any interested motive in his struggles. The legislative council selected Messrs. Alexander Stewart and Lewis M. Wilkins as delegates to represent that body and to defend the old system in England.

A scene occurred in the House during this session which redounds to its credit and especially to the high and magnanimous character of Mr. Howe. A controversy was going forward in respect to the boundary between the province of New Brunswick and the state of Maine. Lumbermen in both counties had become so embittered that a quarrel had arisen, serious enough to be known as "the Aristook War." At last, in February 1839, the governor of the state of Maine sent a message to the senate and assembly of the state announcing that he had ordered troops into the disputed territory. His action in this matter was approved by both Houses and \$800,000 was voted to pay the expenses of this invasion of what was considered by the Maritime Provinces as part of the province of New Brunswick. When this high-handed procedure became known in Halifax, all political differences were hushed in a moment. The assembly was under the control of Howe and his associates, but Howe did not for a moment permit this to weigh. He at once tendered to the government the

LORD JOHN RUSSELL'S MEASURE

united support of himself and his followers in any measure providing for the defence. A series of resolutions was reported and carried unanimously, by which the executive was authorized to call out the whole militia of the province for the defence of New Brunswick and to expend \$100,000, if necessary, in repelling the invaders. Fortunately the commanders-in-chief on both sides were wise and prudent, and a *modus vivendi* was arranged, which endured till 1842, when the Ashburton treaty settled the dispute.

It was at this time that Lord Durham's famous report was laid before parliament, and this elaborate and now famous document gave great encouragement and support to the popular party. Lord John Russell had brought forward in the British parliament an important measure for the settlement of Canadian affairs. It was disappointing to colonial Reformers, and especially coming from Lord John, the author of the Reform Bill of 1832. He failed to follow Lord Durham's report but elaborately argued that the adoption of executive responsibility in the sense in which it was understood in Great Britain was an impossibility in a colony. The act creating the union of 1841 did not, therefore, concede a full measure of responsible government, although this was ultimately achieved under the operations of the act itself.

Colonial Reformers in Nova Scotia were disposed to become despondent and believe that there was

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no expectation of obtaining a just consideration of colonial claims to self-government from the imperial authorities. Howe remained sanguine. His conviction was that Lord John Russell did not understand the situation, and he undertook to bring the whole question of colonial government before him in a series of four letters, which may be read at this date, more than sixty years after their publication, as a magnificent illustration of intellectual capacity, breadth of view and vigorous composition unsurpassed in the whole volume of correspondence that has passed for one hundred years between the imperial government and the various statesmen who have been reared in the empire. To print them in full is impossible, and yet no enlightened Canadian can afford to dispense with their perusal. They are to be found in Vol. II. of Howe's "Speeches and Public Letters," and they embody in the clearest and most fascinating terms, and with a brightness and raciness altogether unusual in official correspondence, the whole case for self-government. They were printed in pamphlet form and placed in the hands of every member of both Houses of the imperial parliament, and widely distributed in the clubs. Unquestionably, these letters exercised a far-reaching influence on the policy of Great Britain towards her rapidly developing colonial possessions. After they had been well-considered and understood no further narrow enunciations of policy are to be found in despatches from

LETTERS TO LORD JOHN RUSSELL

the colonial office, and although in Nova Scotia the struggle had to be maintained a few years longer, and although in the Canadas, after the Act of Union, owing to the narrow views and arbitrary conduct of Sir Charles Metcalfe, full development of responsible government did not accrue until some years later, yet the seeds of sound policy had been sown and taken root, and thenceforth self-government was regarded as not only wise and prudent, but indeed the only condition upon which happiness, contentment and prosperity could prevail in the colonial empire. Splendid work Mr. Howe achieved in the enfranchisement of his own province, but when his claim to eminence is put forward, it will rest not alone upon the fruits of his direct political service in his own province but in the commanding part he played in educating the imperial authorities in true statesmanlike methods. If Howe were alive to-day and with more than sixty years experience in the development of colonial government in North America there is scarce a line in the four great letters to Lord John Russell that he would desire to recall, and his friends and admirers can read them at this day as the emanation of a splendid mind. Lord John (afterwards Earl) Russell was a very distinguished British statesman and afterwards prime minister, but his friends could scarcely derive the same satisfaction from his observations on colonial executive responsibility. Lord Russell lived to see colonial governors govern,

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through their constitutional advisers, as fully and absolutely as the sovereign at home; and in less than a score of years after his famous *pronunciamiento*, no British colony possessing responsible government would have tolerated the idea that an executive should hold office an hour after it had ceased to possess the confidence of the people's representatives.

Messrs. Young and Huntington went to England, as did also Messrs. Stewart and Wilkins, and at the next session of the legislature in 1839, they reported to the respective bodies which had delegated them. Nothing definite resulted from this delegation. Messrs. Young and Huntington obtained concessions in respect of the opening of several ports of entry in the province; some definite concessions in respect of legislation; but accomplished nothing in respect either of the composition of the councils or in establishing the principle of the responsibility of the executive to the popular House.

It is, perhaps, desirable that a statement should be made in respect to the actual methods of conducting government in Nova Scotia at this time. The executive council on being constituted in 1838 as a separate body from the legislative council, consisted, first, of the Hon. T. N. Jeffrey, who was Her Majesty's collector of customs for Nova Scotia at Halifax, and holding no seat in either branch of the legislature. The Hon. Simon Bradstreet Robie,

THE EXECUTIVE COUNCIL

who had had a seat upon the judiciary, which he had vacated, was a member of the executive, and also president of the legislative council. The provincial secretary was a permanent official appointed by the Crown upon the recommendation of the colonial secretary, and held a seat in the executive, but was not a member of either branch of the legislature. His name was Sir Rupert D. George, and although his was an important provincial department, he was absolutely independent of the House of Assembly, and indeed virtually independent of the executive council to which he belonged. The attorney-general, Mr. S. G. W. Archibald, was not a member of the executive council, but obtained his appointment direct from the Crown through the colonial secretary, and at the same time held the position of speaker of the House of Assembly. The solicitor-general was Mr. J. W. Johnston, who was appointed to office in 1834, but held no seat in either branch of the legislature, nor indeed was a member of the executive. In 1838, when the two separate councils were formed, Mr. Johnston was made a member of both. Mr. James B. Uniacke was a member of the executive without office, and held a seat in the House of Assembly, and up to 1840 may be regarded as the leader of the government party in the popular branch, and therefore Howe's chief antagonist for the first term of his legislative life. It is proper to mention, however, that the strongest man in the executive

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council, and the one who can be fairly regarded as the leading figure of those opposed to responsible government in Nova Scotia was the Hon. J. W. Johnston, who, though born in the West Indies, sprang from a distinguished ancestry, came to Nova Scotia in his youth, settled at Annapolis, studied law with Mr. Thomas Ritchie, afterwards Judge Ritchie, and on being admitted to practice, first opened an office in Kentville, but afterwards moved to the capital, where he soon by his commanding abilities secured a foremost position as an advocate. His tastes and connections were all aristocratic, though the temper of his mind was liberal, and while his name is invariably associated with the leadership of the Tory party, he was in reality less disposed to thwart reform measures than many of those associated with him. From the time he entered the executive council in 1838, four years after he had held the office of solicitor-general, he was Sir Colin Campbell's chief adviser and the strongest man in his government, though then occupying no place in the House of Assembly.

Afterwards we shall find Mr. Johnston developing into a great figure in the political arena of the province, and destined for many years to be Howe's most sturdy opponent.

Similar anomalies in connection with the administration of government were to be found at this time in all the provinces, and it is not an extraordinary incident that the leading men of these

HOWE'S OBJECTS

several provinces should have conceived it impossible to have adopted in this country the same principle of executive responsibility to the people which had been then fully achieved in Great Britain. It is seldom that a privileged class ever conceives the wisdom of surrendering its privileges. What Howe started out to achieve was simply this, that all persons holding office and helping to carry on the business of the country should be appointed by an executive which had the confidence of a majority of the members of the House of Assembly; that no executive could hold office a day longer than it could command the confidence of the people's representatives, and that the governor himself should be reduced to the position of a respectable figurehead, acting according to the advice of ministers who were responsible for every act done in his name and liable to be called to account for it in the popular House. This was honestly believed, by British ministers and by most of the leading men of Nova Scotia at that time, to be a piece of palpable absurdity, which could not be practically worked. Mr. Howe was thoroughly imbued with the idea that it not only could work, but that nothing else would give satisfaction to the people and lead to pleasant and harmonious relations with the mother country. And here we see the issue between the two parties, which was not to be finally determined until 1847.

Meantime, considerable progress had been made

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in the direction of reform. The old council of twelve had been swept away; a legislative council, holding its deliberations with its galleries open to the public, had been created, and an executive council formed in which members of the House of Assembly had obtained seats; but no control over the executive had been obtained by the House. The revenue of the country had not yet been placed fully at the disposal of the assembly, and the leading officials of the province were, in the main, men who in no sense commanded the confidence of the people's representatives.

In the autumn of 1839 Lord John Russell became colonial secretary and he sent despatches on the subject of the formation of colonial governments to the Canadian provinces, the most important feature of which was in relation to the tenure of office of public officials in Canada. He adverts to the fact that all the leading offices were held by permanent tenure, the origin of which was that these at first were appointed from persons residing in England, but as of late years the practice had been introduced of preferring to places of trust in the colonies persons resident there, this had taken away the strongest motive which could be alleged in favour of a practice to which there were many objections of the greatest weight. The governors were instructed to cause it to be made generally known that thereafter the tenure of colonial office held during Her Majesty's pleasure, would not be

LORD JOHN RUSSELL'S DESPATCHES

regarded as an equivalent to tenure under good behaviour, but that such officers should be called upon to retire from the service as often as any sufficient motives of public policy might suggest the expediency of that measure. These remarks were not to apply to judicial officers, nor to offices which were altogether ministerial and which did not devolve upon the holders of them duties in the discharge of which the character and policy of the government were directly involved, but were intended to apply to the heads of departments, and especially to such offices as that of provincial secretary, treasurer or receiver-general, surveyor-general, attorney and solicitor-general; and should apply also to members of the executive council in those provinces in which the legislative and executive councils were distinct bodies. When these despatches arrived late in 1839, Sir John Harvey, the governor of New Brunswick, under date of December 31st, issued a circular addressed to the heads of the civil departments and members of the executive council of New Brunswick, in which he intimated to them his intention of carrying on the government of that province upon the lines laid down in Lord John Russell's despatch. This at once gave complete satisfaction to the people of New Brunswick, and practically ended, so far as that province was concerned, any acute contest in relation to responsible government, although, it must be added, it was not until a later date that the

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full and complete recognition of responsible party government was in effective operation in that province.

In Nova Scotia, Sir Colin Campbell, acting partly upon his own views, and supported, no doubt, by most of those in his council, adopted an entirely different course. His council was composed almost entirely of men not possessing the confidence of the assembly, and no prominent member of the popular party could look forward, under existing conditions, to any reasonable expectation of filling a responsible or honourable position in the government of the country. In the session of 1840, finding that Sir Colin Campbell would take no step towards giving effect to Lord John Russell's despatches, Mr. Howe gave notice of a series of resolutions reciting the existing conditions, and concluding as follows: "Resolved, that the House of Assembly, after mature and calm deliberation, weary of seeing the revenues of the country and the time of its representatives wasted, and the people of Nova Scotia misrepresented to the sovereign, the gracious boons of the sovereign marred in their transmission to the people, do now solemnly declare that the executive council, as at present constituted, does not enjoy the confidence of the Commons."

Howe introduced this resolution in a speech of great length and power. Perhaps its greatest merit was in its extreme moderation, and the exhaustive

WANT OF CONFIDENCE

manner in which he set forth point by point the actual prevailing conditions. This speech made a great impression, not only upon Mr. Howe's friends in the House, but upon the members of the executive who sat in the House, and it was not less far-reaching in its effect upon the people generally throughout the province. This resolution of want of confidence was passed by a large majority in the House, and it is a notable fact that the Hon. Mr. Uniacke, the leader of the government in the House, withdrew from the division, and it became an open secret that he was leaning towards Howe's views. After the adoption of these resolutions, the House waited upon the governor in a body and presented them. The governor's reply was evasive and altogether unsatisfactory. He declared that he had no reason to believe that any alteration had taken place on the part of Her Majesty's government in respect to the methods of conducting colonial government, and he declared that justice to his executive council compelled him to say that he had every reason to be satisfied with the advice and assistance which they had at all times afforded. When the House returned to its own chamber, Mr. Uniacke arose and stated that being desirous of facilitating the introduction of a better system of government, he thought it his duty to the House and to the government to tender his resignation of the seat he held as executive councillor, and he intimated that his resignation had

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been accepted. He followed this with a speech in which he admitted frankly the absurdity of the present system and the necessity for a change. Howe at once rose, and in the most handsome manner conveyed his congratulations to his late antagonist; declared that his resignation did him the highest honour; paid a tribute to his ability, and contrasted his conduct with that of the men who, while they had relied upon him for their defence, now wished to sacrifice him in support of a rotten system which the government itself had abandoned. From thenceforward Mr. Uniacke may be reckoned as a friend and coadjutor of Mr. Howe in the struggle for responsible government. To indicate how bitter and tenacious of its position the official oligarchy was, it is stated that, although belonging to one of the oldest and most distinguished families in the province, Uniacke for a time was socially ostracized by the governor and by many of the old Tory families in the city. It was unquestionably an important acquisition to the Liberal party of Nova Scotia to have secured the coöperation of such an able and accomplished man as James Boyle Uniacke.

Howe and his associates in the House of Assembly were naturally disgusted at the answer to their address given by Sir Colin Campbell. It was not that he affirmed anything especially obnoxious, but the evasive tone indicated a determination upon his part to disregard Lord John Russell's

SIR COLIN CAMPBELL

despatch and to cling to his present Tory advisers. Howe's first impulse was to prepare an address to the governor-general, but this he abandoned, and after a day or two proposed another address to Sir Colin Campbell, couched in mild and respectful terms, setting forth with still greater clearness the exact point at issue between the assembly and the government. He asked him simply to give effect to Lord John Russell's despatch and carry on his government according to the wishes of the people. The second address was adopted by a large majority in the House, twenty-nine voting for and ten against it. It was presented to the governor and an answer returned almost identical in its vague and unsatisfactory character with the former answer. He declared that if he gave effect to their address, he would practically recognize a fundamental change in the colonial constitution, which he could not discover to have been designed by the despatch of the secretary of state, Lord John Russell, of October 13th.

Howe now took a step which for boldness stands almost unsurpassed in the struggle for responsible government in any of the colonies. Sir Colin Campbell was a distinguished old soldier, a very worthy type of man personally, and the office of lieutenant-governor of a province in those early days was regarded with a sanctity altogether unknown at the present time. He was sent out directly by the imperial authorities as the representative of the

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sovereign; he exercised substantial political power and enormous social influence; he had always at his back not only the wealth and social position of the country and the official class, but there is always an innate disposition on the part of the people generally to hold in high regard the office of governor. Yet Howe took the responsibility of submitting to the legislature an address to the queen, very full in its character, and concluding with this memorable paragraph: "That Your Majesty will join with this House in obviating the necessity for such appeals—that you will repress these absurd attempts to govern provinces by the aid and for the exclusive benefit of minorities, this assembly confidently believes; and in asking Your Majesty to remove Sir Colin Campbell, and send to Nova Scotia a governor who will not only represent the Crown, but carry out its policy with firmness and good faith, the representatives of Nova Scotia perform a painful duty to their sovereign and to their constituents, but recommend the only remedy which they fear can now be applied to establish harmony between the executive and legislature of this province."

This step really startled the people of Nova Scotia. It was a novel movement in the history of colonial government. Some members of the legislature became timid. They could follow Howe in his efforts to procure popular government, but to vote to ask the queen to recall the governor was going too far. Some other timid ones who could not

ATTACK AND DEFENCE

be induced to vote for this extreme measure were absent when the division took place, but Howe was able to secure twenty-five members to vote, and carry his resolution by a substantial majority.

When this resolution was adopted considerable excitement prevailed in the province, especially in the city of Halifax. Up to this point the leaders of the Tory party had recognized that Howe's course was obtaining the support of the mass of the people in the country, and therefore, they scarcely cared to challenge him to a contest in the open; but they regarded this resolution as going in advance of public opinion and giving a shock to the sensibilities of the people at large. The consequence was that public meetings were summoned to denounce this cruel attack upon the governor. The first of these was held in the city of Halifax and the call was addressed simply to those opposed to the action of the assembly. Howe and his friends, of course, could not attend this, but they immediately summoned another meeting, open to everybody, for public discussion. Mr. Johnston, the solicitor-general, who was regarded as undoubtedly the leader of the Tory party, attended this meeting, and Howe and he met for the first time upon the public platform. Both speeches were able and eloquent, for Johnston was an orator of great distinction. Howe, after the meeting, was carried home upon the shoulders of the people. His speech on the occasion was a masterpiece, and, considering

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that the meeting was composed of heated partisans in a mood to interrupt, great moderation was observed by Howe from the beginning to the end. From the capital the war was extended into the country. The Tory officials circulated addresses of a fulsome character to the governor. But Howe was equal to the occasion and threw himself everywhere, east and west, in the province, to sustain the popular side and keep his friends and supporters, in the outlying districts, in line.

And so the contest went on until July 9th, 1840, when Mr. Poulett Thomson (afterwards Lord Sydenham), who had been recently appointed governor-general of Canada, arrived from Quebec, which was then the seat of government for Canada and the usual residence of the governor-general. He immediately assumed the reins of government, as under his commission he had a right to, and sent for the leading men of both parties to consult upon the aspect of affairs. Mr. Howe was among the number, and between him and Mr. Thomson there was a full and free interchange of views.

What course would be adopted in respect to the governor remained a profound mystery. Among the Tories it was reported that the colonial secretary had declined to present the address of the assembly to the queen, and boasts were made everywhere that the governor would be sustained. But the problem was solved on September 30th,¹ when Lord

See appendix D

LORD FALKLAND

Falkland arrived in Nova Scotia, bearing with him the queen's commission as lieutenant-governor of Nova Scotia. This nobleman was a young man, still in the thirties, handsome in appearance, extremely vain, with little political experience, and, so far as can be judged, of no very great intellectual endowments, and certainly lacking in discretion. But he arrived, evidently with instructions to carry on the government in such a way as to meet, if possible, the objections of the popular party, and he started out with one distinct policy, and that was that the only way to govern a colony successfully was to call into the council men representing all shades of political opinion. It no doubt seemed a plausible solution then, but experience very quickly demonstrated that this system was far from being an ideal one, but rather an impossible one, and that with all the evils surrounding it, the only rational and sensible method of carrying on the government of the country was by a homogeneous cabinet with a premier at its head, all the members of which should be united in carrying forward a common policy.

In furtherance of his policy, Lord Falkland asked Howe to take a seat in his council, and he agreed, on the condition that McNab and Uniacke should also be taken in, that a bill for the incorporation of Halifax should be submitted as a government measure, and that as vacancies occurred from time to time in the council, men in sympathy

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with the majority of the assembly should be taken in to supply their places.

Thus, before the end of his first term in the legislature, we find that Howe has not only destroyed the old council of twelve, made the deliberations of the legislative council open to the public, driven from the province a lieutenant-governor who would not regard the popular will, but now has himself been asked to accept a place in the cabinet in association with men of his own political views, whose object was to infuse into the government the principles for which he was contending. When Howe was sworn into the cabinet he had been four years in public life and was thirty-six years of age.

CHAPTER IV

HOWE AS A MINISTER

ALMOST immediately after the formation of Lord Falkland's administration, the House was dissolved and a general election took place. Howe's position during the three years that he held a seat in the executive was not by any means an easy or agreeable one. As a doughty champion fulminating against officialdom, he quickly became the popular idol, but many, if not most, of those who were in sympathy with the movement for responsible government looked with suspicion, if not with disfavour, upon his association with the bigwigs who gathered about government house. Johnston did not become attorney-general until the next year, and the idea of premiership had not yet developed in connection with the executive council of the province, but to all intents and purposes Johnston was Lord Falkland's chief adviser, and occupied a position as nearly as possible akin to that of premier. He was a strong man and distinctly obnoxious to the Liberals of Nova Scotia, many of whom doubted the propriety of their hero sitting at a council board at which Johnston was the ruling spirit.

At the same time, it will be easily understood

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that officialdom and the Tory party generally throughout Nova Scotia were profoundly disgusted at finding at the council board a man who had ruthlessly disturbed their comfortable nests, and who, from their point of view, might use his position at this board to destroy completely the system which they cherished. Howe's first duty was to appease his friends by a public letter before the elections, and thereby secure a majority of Liberals in the new House of Assembly, and in this he was entirely successful. His own words justifying the course he had taken will, perhaps, best set forth his conception of the situation.

“Having been elevated by Her Majesty's command to a seat in the executive council, a brief explanation may be necessary on this subject, and I make it the more readily because I have no secrets to conceal. When the charge of personal ambition has been reiterated by those who assert their claims to fill every post in the country, by applying in shoals whenever one happens to be vacant, I have often smiled at their modesty, and at their ignorance of facts. Had I sought my own advancement, and not the general good, I might have accepted a seat in council in 1837, and held it for life independent of the people. Again, in 1839, had I abandoned my principles, I might have obtained the vacancy occasioned by the demise of the Hon. Joseph Allison; but to have gone into the old council, upon the old principles, would have been

ANOMALIES OF GOVERNMENT

to deserve the epithets which have sometimes been as freely as ignorantly applied. When, however, Her Majesty's government, by the withdrawal of Sir Colin Campbell, by the retirement of a large section of the old council, and by the adoption of the sound principles for which the popular party had contended, made such a demonstration as I conceived entitled them to the confidence of the country, it seemed to be clearly my duty to accept the seat tendered by the new governor, and to give him the best assistance in my power."

The anomalies of these three years of hybrid administration are too numerous to be minutely detailed. Mr. Howe, although a member of Lord Falkland's government with Mr. Johnston at the head of it, found himself and his colleagues in Halifax city and county fiercely opposed at their elections by the political friends of Johnston, and this course was pursued in most parts of Nova Scotia in respect to all the candidates running for the assembly who could be classed as Howe's friends and followers. Nevertheless, the Liberal party was successful in this election, and Howe and his three colleagues for Halifax were returned by large majorities. After the election Howe was entertained at a public banquet in Mason Hall.

Another anomaly in connection with this new condition of things arose at the opening of the House. Mr. S. G. W. Archibald, as has been said, had long filled the office of attorney-general and at

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the same time the speakership of the House of Assembly. Before the new House met, Archibald had accepted the position of master of the rolls, a judicial post corresponding to judge in equity. This left the speakership open. Under the existing condition of things, with responsible government in full operation, no member of a government would think of filling that position. However, the race for the speakership at this session was between Howe and his friend James B. Uniacke, and, after considerable contest, the former was elected by a majority of two, thus occupying the dual position of member of the government and speaker of the House. In September, 1842, the office of collector of customs at Halifax became vacant by the retirement of Mr. Binney, and Howe accepted the position. It is probable that he was forced by financial exigencies to accept this place of emolument. His political duties were now extremely exacting. He had been forced during the first four years of his legislative career to assume leadership, travel over the province, address meetings and give his time to the evolution of policy. He was a poor man when he started his political life and remained steadily poor until the day that he died. At this time, too, he had the responsibilities of a young and growing family. He was compelled in 1841, to hand over the control of the *Nova Scotian* to Mr. Nugent, who in a very short time handed it over to Mr. William Annand, Howe's friend and colleague, who continued its publication

RESPONSIBILITIES OF MINISTERS

together with the *Morning Chronicle*, which he started soon afterwards. Howe was, therefore, without any means of livelihood except those which sprang from his political duties. When the next session (1843) opened, Howe announced that, having accepted an office of emolument, he felt it his duty to resign the speakership. Previous to this Mr. William Young, member for Inverness, had been sworn into the executive council in place of S. G. W. Archibald. Young became a candidate for the speakership in 1843, and Mr. Herbert Huntington, another warm friend of Mr. Howe's, was his opponent. To show that public opinion was advancing, a resolution was passed by the legislature declaring the office of member of the government and speaker incompatible, whereupon Young resigned his seat in the executive council and was elected speaker by a majority of two over Mr. Huntington.

Still another anomaly to be mentioned in connection with this era of government is that while Howe and McNab made declarations in the House of Assembly that the ministers were responsible and held office through the favour and confidence of the assembly, in the legislative council, Johnston, Stewart and other members made speeches declaring almost the exact opposite. This was one of the tokens of difference of opinion which appeared between members of the same administration. Howe was determined that this question of

responsibility should be settled and defined. A meeting of council was called and Mr. E. M. Dodd, who was at that time solicitor-general and a member of the executive and legislative councils, was deputed to make a statement which would have a quieting effect. Mr. Dodd in this statement, which was afterwards approved by Mr. Johnston in a public declaration, declares that while the governor is responsible to his sovereign and the ministers are responsible to him, they are likewise bound to defend his acts and appointments, and to preserve the confidence of the legislature. This patched up matters between the diverging ministers, for a time.

But, perhaps the greatest anomaly which was developed by this period of coalition government was in respect to the question of education. This leads, naturally, to an incident in Howe's career which cannot be omitted if a full study of his character is to be made. By some unfortunate incident Howe had a quarrel with the leaders of the Baptist body in Nova Scotia at this time. Mr. Johnston himself was originally a member of the Church of England and belonged to the exclusive set which at that time the Church of England represented in the province, though in point of numbers they represented less than one-fifth of the population. An unfortunate division occurred about this time in St. Paul's church, the oldest and largest Episcopalian organization in the city, in reference to the choice of a rector. The people

HOWE AND THE BAPTISTS

elected one clergyman as rector, the bishop appointed another, and made him rector by virtue of his official prerogative. This led to the withdrawal from St. Paul's of a considerable number of influential men. It happened at this time that a Baptist minister, the Rev. John Burton, was conducting religious services in Halifax with considerable enthusiasm, and many of the seceders from St. Paul's church sat under his ministration and were affected by his religious fervour, among the number being the Hon. Mr. Johnston, Mr. E. A. Crawley, (a rising lawyer who afterwards entered the Baptist ministry and became one of the most distinguished men in religious life in Canada), Mr. J. W. Nutting, Mr. John Ferguson and others, all of whom ultimately joined the Baptist church. Ferguson was the editor and proprietor of the *Christian Messenger*, and Howe had for some time published this paper in the office of the *Nova Scotian* under contract, involving certain business transactions between Mr. Howe, Mr. Ferguson and Mr. Nutting, which led to financial difficulties and litigation, and paved the way for considerable ill-feeling between Howe and leading members of the Baptist body, the majority of whom in Nova Scotia were naturally in sympathy with Howe's struggles for popular government. It is necessary to admit frankly that Howe during his whole career could never be classed as thoroughly judicious in his general movements. As a political tactician he was unsurpassed, but he had an impul-

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sive temperament in his every day dealings with men, which very often led him to do things indiscreet for a political leader, and to utter not infrequently bitter words which would long rankle in the breasts of his victims. Johnston at this time was intimately identified with the Baptist body and he and the eminent men who united with that body at the same time were regarded with considerable interest and pride by the Baptists generally throughout the province. Although seated round the same council board politically, no one at the time doubted that Mr. Johnston, was, to all intents and purposes, sympathizing with and aiding and supporting those Baptists associated with the *Christian Messenger*, with whom Howe was carrying on a violent personal struggle.

Another still more acute cause of dissent arose at this time, when Johnston and Howe were sitting as colleagues in Lord Falkland's council. It may be mentioned that Howe from the earliest period was deeply interested in the great question of education, and nothing which pertains to the public life of a country, viewed from every aspect, can be so far-reaching in its consequences as the proper intellectual development of the masses, through the agency of public schools. As early as 1841 Howe introduced a measure to establish a system of free schools by popular assessment. At this time, while there was a school system in Nova Scotia in a measure controlled by the board of edu-

THE SCHOOLS

cation, and small sums were voted to aid and assist common school education by the House of Assembly, yet throughout the province generally the only method of obtaining a school was by voluntary subscriptions from the people, and the teacher was very often himself compelled to go through a district and get subscriptions from those having children in order thereby to have a school established. Some of the larger towns had grammar schools which received a special grant from the legislature, but the school system of Nova Scotia was crude, unsatisfactory, and could never become permanently successful until established upon a distinct legal basis, and until the support of schools was made a compulsory charge upon the taxpayers in the section. Howe was the first Nova Scotian distinctly and explicitly to advocate this. His speech on this question was one of the noblest and most elevated of his career. He knew quite well that the proposition to impose taxation for the support of schools would be unpopular in the country and alarm the members of the House, but he did not hesitate to advocate it boldly, and to appeal to the members of the House to risk everything in order to accomplish this great reform. For the sacred purposes of education, for founding a provincial character, for the endowment of common schools for the whole population, no hesitation, he maintained, need be felt at coming to direct taxation. Few, perhaps, were more worldly than

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himself, or more alive to the value of popularity; yet he would willingly take all the blame, all the unpopularity that might be heaped on him, as one who had a share in establishing that which he proposed. They were representatives of the people, and he put it to them, as they were greatly honoured, should they not greatly dare? He called on gentlemen not to be too timid in risking popularity, and not to reckon too carefully the price of doing their duty. Were they Christians, and afraid to lay down their seats, when He from whom they received the distinguished name laid down His life for them? Were they Nova Scotians, and afraid to do that which would tend to elevate the country to the highest moral grade? If so, they were unworthy of the name. It was their duty to raise and establish the character of the country as the character of other countries had been—by the intelligence of the people.

It was not destined that the honour of establishing a free school system should become the endowment of Mr. Howe. That glory belongs to another; but that Howe's persistent and eloquent advocacy paved the way to the later achievement of Sir Charles Tupper, in 1864, is an undoubted fact, and entitles him to a large share in the credit for this noble measure.

But the question in relation to education which resulted in acute difference between Johnston and Howe, while members of the same cabinet, related

THE COLLEGES

to the establishment of colleges. The Church of England had founded King's College at Windsor in 1802, and it was for a time the only institution that could be regarded as possessing collegiate powers. Dalhousie College had been called into existence early in the century as the result of the appropriation of a large sum of prize money taken in the war of 1812 and entitled the "Castine Fund," but this institution had fallen under the influence of the Presbyterians, and with the support of Sir Colin Campbell this body refused to appoint the Rev. Mr. Crawley, now an eminent Baptist divine, to a professorship on account of his religious views. This induced the Baptists to found an institution at Wolfville, called at first Queen's, but soon after, Acadia College. The institution received a provincial charter in 1840, and has existed by the voluntary contributions of the Baptist body; it has steadily grown until this day, and is one of the most important collegiate institutions in the Maritime Provinces. The Catholics also founded a college at Antigonish (1853-55), and the Methodists were calling into existence their institutions at Sackville, N.B., on the border line between the two provinces and supported by the Methodists of both. Thus in a province of less than three hundred thousand people, five colleges, sectarian in their character, were in existence.

Mr. Howe believed that these colleges were unnecessarily multiplying burdens upon the people,

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and affording only a minimum of efficiency in the direction of university education, and he therefore openly and boldly favoured the establishment of one central college, free from sectarian control and open to all denominations, maintained by a common fund and rallying round it the affections of the whole people. A resolution supporting this proposition was submitted to the legislature, under Howe's inspiration, by his friend Mr. Annand, seconded by Mr. Herbert Huntington. Howe made a very able speech in its support, in the course of which he stated that when he looked abroad on the works of Providence he saw no sectarianism in the forest or in the broad river which sparkled through the meadows; and asked why we should be driven to the conclusion that men could not live together without being divided by that which ought to be a bond of Christian union.

As a matter of principle Howe was unquestionably sound in this view, and if his policy in respect to one central university had prevailed in Nova Scotia, it is quite probable that greater efficiency in respect to higher education would have resulted. But his uncompromising course on the question was unwise from a political point of view, as the result demonstrated. Taken in connection with his recent quarrel with the *Christian Messenger* and leading men in the Baptist denomination, it was only calculated to add fuel to the flame. The Baptists at that moment were zealously employed

ACADIA COLLEGE

in the work of building up Acadia College, and the project had taken root in the hearts and consciences of the great mass of the denomination. Mr. Johnston, as one of the leaders of the Baptist body, was naturally called upon to defend his college, and incidentally the denominational system. This brought him into direct conflict with Howe on an important public question, which at that moment had become a burning one. The inevitable result of such a controversy would be to alienate from Howe and his party a powerful section of the Baptist body, and several seats in the Nova Scotia legislature were likely to be influenced in a considerable measure by the Baptist vote. Mr. Howe, as the result showed, paid dearly for his chivalrous advocacy of a non-sectarian provincial university, and the acute contest between these two men, both of them sitting at the same council board, constitutes, as has been said, another of the grotesque anomalies which must inevitably follow from a government constructed on the lines upon which Lord Falkland insisted. The *Christian Messenger* fulminated furious attacks upon Howe week after week, and Johnston himself, at a Baptist association in Yarmouth, in the course of an inflammatory speech, animadverted with great severity upon the action of the House of Assembly in passing the resolutions which Mr. Annand had moved and Mr. Howe had supported. Howe, in self-defence, held a series of meetings to discuss this college

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question, the first in Halifax, when a resolution was passed endorsing his policy; then he visited Colchester, Hants, and Pictou.

While Howe was absent in the autumn of 1843 attending these meetings, the executive council, under Johnston's leadership, was called together and a proposal made for dissolution. Howe was summoned to attend, but he had made engagements for two meetings which detained him on the way. Before he got to the capital, an order-in-council dissolving the House was passed. This course was justly regarded by Howe and his friends as unwise and uncalled for. The term of the House had not nearly expired and the government had received a steady support for all its important measures, thanks to the influence which Howe was able to exercise. The dissolution was to take place at a time when acute differences of opinion were being publicly proclaimed on an important question, between Johnston, the leader of the government, and Howe, the leader of the Liberal element in it.

But Johnston had a definite purpose in this sudden dissolution of the legislature. He perceived that Howe had alienated influential interests in Nova Scotia by his unfortunate difficulties with the Baptists, and on account of his zealous advocacy of a central university as against sectarian colleges, and he conceived the idea that he would dissolve the House and set himself to the task of securing a majority of members in the assembly who would

A PRECIPITATE ELECTION

be in sympathy with himself and his views. In furtherance of this, Johnston resigned his seat in the legislative council and accepted a nomination for the county of Annapolis, then represented by a supporter of Howe. Annapolis was a strong Baptist constituency and Johnston relied upon the influence of denominational pride and sympathy to enable him not only to carry his own seat, but also the two remaining seats in the county.

Some of Howe's friends, when this dissolution was announced, seeing in it plainly a determination on the part of the majority of the council, with Johnston at their head, to conduct matters according to their own views and without regard to the wishes and sentiments of Howe and his friends, urged him to resign and bring on a crisis then. But Howe did not concur in this view, and indicated to Lord Falkland his judgment of the situation. If Howe and his friends should carry a majority of seats in the election, the true policy for Johnston would be to resign and allow him to form an administration. If Johnston obtained a majority of seats, the true policy would be for him (Howe) to leave the government and let Johnston form an administration composed entirely of his own political friends. This most rational proposal Lord Falkland declined to entertain, adhering to his fatuous scheme of having a council composed of men of all political views.

During the election, which Howe and his friends

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entered upon with much discouragement and want of spirit, he constantly advocated the idea of party government, and announced that the administration hereafter should depend upon the result of the coming elections. Mr. Johnston, on the other hand, supported Lord Falkland's idea that government should not be conducted upon party lines, but he had in his mind all the while a fixed determination that, if he could by any possibility obtain a majority of members favourable in the new House, he would rule according to his own views and let Howe and his friends take care of themselves.

The election took place late in the year 1843, and the result was for a time in doubt. Both parties claimed a majority. As a matter of fact, the event proved that Johnston could count upon a majority of one in the new assembly.

After the elections were over Howe and his friends in the government did not resign, and it is possible that if Johnston had pursued a wise course he might have placed his antagonist in an embarrassing position. But, almost immediately after the election, he committed a distinct blunder, which afforded Howe the very opportunity he wished, to retire from the cabinet. The mistake was nothing less than calling to the executive and legislative councils Mr. M. B. Almon, a bitter Tory, who had been active in opposing Howe in his election in Halifax, and who was a brother-in-law of Johnston himself. The instant this was announced Mr. Howe,

RESIGNATIONS

Mr. J. B. Uniacke and Mr. James McNab retired from the government. It was one of the conditions upon which Howe and his supporters had entered the cabinet three years before, that as vacancies occurred, friends of the Liberal party should be called to the council. William Young had been appointed in 1842, and resigned on accepting the speakership in 1843. The vacancy belonged to the Liberals, and the arbitrary filling of it by the appointment of so pronounced an opponent as Almon made it impossible for Howe and his friends longer to endure the unpleasant position in which they were placed.

Lord Falkland called upon these gentlemen to give reasons for their resignation, which Howe promptly did in clear terms, as did also Messrs. Uniacke and McNab. At a later time further negotiations were set on foot by Lord Falkland to induce these gentlemen to come back. Mr. Dodd, the solicitor-general, was made the medium of communication. His attempt was unsuccessful, as these gentlemen distinctly declined the proposition. At the first session of the new parliament a resolution of want of confidence was soon moved, and this Johnston was able to defeat by a vote of twenty-six to twenty-five. This tested the strength of parties in the House, and during the parliamentary term Johnston had to rely upon this narrow vote to secure the adoption of his measures.

CHAPTER V

HOWE VS. FALKLAND

AS soon as it became evident that Lord Falkland was determined to carry out his own superficial views of government, and that Johnston intended to hold office by his majority of one in the House, Howe's course became clear. The task he set before him was to devote his energies to stirring up public opinion against Johnston and his government, and to make sure of securing a majority of members at the next general election. The contest for these three memorable years was, perhaps, the most conspicuous in the record of Howe's career. Party feeling was intense at this moment and Howe saw clearly that by keeping the Liberal party compactly together in the House and in the country, and compelling the administration to be carried on by members of the Tory party alone, he could bring about the exact condition of things for which he had always been struggling. If he carried a majority of seats in the assembly at the next election, he could force the resignation of Johnston's government and cause the creation of an administration which would represent the views and policy of the Liberal majority, and thus would end forever irresponsible governments, hybrid

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administrations, and impose for all time to come upon any administration hereafter formed in Nova Scotia the necessity of having the support and confidence of a majority of the people's representatives.

The contest was, of course, in a large degree, between Johnston and Howe, but, ultimately, owing to the somewhat foolish conception of his position on the part of Lord Falkland, the contest was really for a considerable time between the governor and Mr. Howe, and this part of it was conducted with the utmost bitterness. An employee of the government and a friend of the lieutenant-governor began a series of scurrilous newspaper articles attacking Mr. Howe. Howe took no notice of the writer of the articles, but held Lord Falkland directly responsible for their publication, and, over his own signature, addressed scathing open letters to Lord Falkland, which constitute the very acme of vituperative literature.

It has been mentioned that Mr. Annand became proprietor of the *Nova Scotian* and *Morning Chronicle* in 1843. As Howe had resigned his seat in the government and also his office as collector of customs, it was the universal judgment of his friends that he should resume the editorial management of these party papers, and in May, 1844, his first editorial appeared. It was written in his characteristic style, and, as an illustration of the peculiar qualities by which Howe could endear himself to

AN EDITORIAL

the masses of the people, a quotation from this article will be read with interest :—

“Hardly had we taken our seat upon our old acquaintance (the editorial chair) when we fancied that ten thousand ties which formerly linked our name and daily labours with the household thoughts and fireside amusements of our countrymen, aye, and countrywomen, were revived as if by magic. We stepped across their thresholds, mingled in their social circles, went with them to the woods to enliven their labours, or to the field to shed a salutary influence over their midday meal. . . . And we had the vanity to believe that we would be everywhere a welcome guest; that the people would say, ‘Why, here is Howe amongst us again; not Mr. Speaker Howe, nor the Hon. Mr. Howe, but Joe Howe, as he used to be sitting in his editorial chair, and talking to us about politics, and trade and agriculture; about our own country and other countries; making us laugh a good deal, but think a good deal more even while we were laughing.’ Such is the reception we anticipate, homely but hearty; and we can assure our countrymen that we fall back among them, conscious that there is no name by which we have been known of late years among the dignitaries of the land that we prize so highly as the old familiar abbreviation.”

During these three years and more of toil, Howe was the great inspiring personality of the Liberal party. Mr. Annand, who was associated with him

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in the editorial office every day during the struggle, thus describes him at this period :—

“Nothing could exceed the buoyant and cheerful spirit with which Mr. Howe applied himself to the task which he had assumed, of routing Lord Falkland, and his government, horse, foot and artillery, at the next election. In the darkest hour he never despaired. He played through labours multifarious, and which, to a person of different temperament and training, would have been irksome. His arm-chair became the centre and rallying point of the whole party. Our office was rarely empty; his house, when at home, never. We have often seen him dashing off an editorial, which was to set the whole province laughing or thinking, surrounded by a mob of friends planning some movement or preparing for some meeting. We have known him work when he was weary; inspire others with cheerfulness, when his heart was sad; and he thought as little of galloping over two or three counties and addressing half a dozen public meetings, as others would think of a drive round ‘the Point.’”

Howe’s versatility during this period of conflict was marvellous, but perhaps it may not add to his reputation to enter too fully into his contributions to the political literature of the day. Not content with caustic prose, he lampooned his opponents in verse. One of these poetical effusions entitled “The Lord of the Bedchamber,” created much comment at the time, and was of course, severely criticized

SATIRIC VERSES

by his opponents. It appears that Lord Falkland had been one of the Lords of the Bedchamber prior to his coming to Nova Scotia, and it was to him under this name that the poem was addressed. The whole poem is a clever bit of satire, but scarcely of sufficient interest to quote in full. Its style can be gathered from the first two verses :—

The Lord of the Bedchamber sat in his shirt,
(And D—dy the pliant was there),
And his feelings appeared to be very much hurt,
And his brow overclouded with care.

It was plain from the flush that o'ermantled his cheek,
And the fluster and haste of his stride,
That drown'd and bewildered, his brain had grown weak,
From the blood pump'd aloft by his pride.

Another pasquinade, supposed to be addressed by Lord Falkland to Lord Stanley, at that time colonial secretary, contains the following as a sample of Howe's genius in galling satire :—

In my public despatch, my position, *en beau*,
Is set off to the greatest advantage, you know ;
When you read it you'll think I have nothing to bore me,
But am driving Bluenoses, like poultry, before me.
I'm sorry to own, yet the fact must be stated,
The game is all up, and I'm fairly checkmated.
The Poacher in Chaucer, with a goose in his breeches,
Was betrayed by the neck peeping through the loose stitches.
And I must acknowledge, unfortunate sinner,
As my griefs are enlarging, my breeches get thinner ;
And I feel if I do not soon make a clean breast,
That from what you observe you will guess at the rest.

But while talking of geese, it is said, in some ruction,
That Rome, by their cackling, was sav'd from destruction—
The luck of the Roman runs not in my line,
For I am destroyed by the cackling of mine.

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The first session of the new parliament was marked by protracted debates on the political situation. Mr. Howe made a lengthy speech in defence of his conduct both in going into and leaving the administration (but he was careful in this speech to omit anything that savoured of a personal attack upon Lord Falkland), and also setting forth the principles upon which an administration should be formed and continue in office. Then followed the efforts of Lord Falkland to induce leading men of the Liberal party to enter the administration on the condition that Howe should be excluded. These not only failed, but they impelled Howe to that course of vigorous and bitter attack upon Lord Falkland which ultimately drove him from the province.

During the summer of 1844, Mr. Howe visited parts of Nova Scotia, holding public meetings in Wilmot, Windsor, Newport, Maitland, Parrsboro, Maccan, Amherst, Wallace and Musquodoboit. His tours over the province were made on horseback. He often addressed three meetings in a day, attended public dinners, and participated in the evenings in country balls. It is impossible to describe the enthusiasm which he created among his friends and admirers in all parts of the province. At the meetings his eloquence captivated the hearts of his hearers; in social life he was simply irresistible. Most of his time at public gatherings, when he was not speaking, was spent moving round

SPEECH AT CORNWALLIS

freely among the people, especially the women; he was brimful of humour, and elicited the ardent regard of every person with whom he came in contact. At each of these great popular addresses he was certain to indulge in some delightful and unique outburst, based upon the surrounding incidents, which evoked great enthusiasm.

The biography of Mr. Howe, properly speaking, cannot be written. The only true picture of his career can be obtained by extracts from his innumerable public utterances upon all questions and upon all occasions. The compass of this book makes this impossible. At an immense picnic at Cornwallis, where fifteen hundred persons of both sexes were assembled in the open air to welcome the hero of responsible government, Mr. Howe made the following reference to the ladies of King's county, whose health he proposed :—

Sculptors and painters of old stole from many forms their lines of beauty, and from many faces their harmonies of feature and sweetness of expression; but from the groups around him, individual forms and single faces might be selected, to which nothing could be added, without marring a work, that, if faithfully copied, would stamp divinity upon the marble, or immortality on the canvas. He had seen other countries and admired their wonders of nature and of art. Germany had her Drakenfels, and Scotland her mountains, France her vineyards, England her busy marts, and Ireland

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her depths of verdure—each and all had some peculiar charm, some native characteristic, that Nova Scotians must be contented to admire, and satisfied to want ; but when he came to contemplate that first, best gift to man, he could place the girls of his own wild country beside those of any portion of the globe, and thank Providence that those who were to lie in our bosoms and beautify our homes, were their equals in personal loveliness, in tact and virtue.

Addresses of a complimentary character were presented to Mr. Howe in all the places which he visited during this campaign, one of which will serve as an example of the manner in which he was regarded by his ardent followers in Nova Scotia:—

“Mr. Joseph Howe:—Sir, It is with feelings of no ordinary joy and gratification that we welcome you to our fertile county. No language at our command can adequately convey to you the unfeigned satisfaction and heartfelt gratitude with which we have ever witnessed the untiring zeal and perseverance you have displayed, in supporting our best interests during the whole tenor of your political career. Time would fail us to enumerate even the more prominent scenes in which you have stood forth the friend and champion of the people, and triumphantly fought their battles, both with your pen and in the legislative arena, and by which you have won their lasting confidence and affection. But we feel it a duty incumbent on us to mark

FRICITION

with peculiar applause and approbation, that noble and disinterested act by which you and your associates cast off the shackles of office, and came forth the staunch and unfettered guardians of the people's rights.

“For this, as well as for the successful exertion of a whole lifetime spent in promoting the glorious cause of British colonial freedom, in the name and on behalf of the reformers of King's county, we beg to tender you our best thanks and confidence, and our sincere and earnest wishes for your future usefulness and prosperity.—King's County, July 17th, 1845.”

The second session, 1845, was the scene of the most memorable contests between the two political parties that have marked the political history of Nova Scotia. At the former session Howe still had confidence in Lord Falkland and no desire to do him injustice. That nobleman had, in a fatuous manner, identified himself with the opponents of Howe, and had taken a course so hostile to him personally that, as we have said, the contest became for a time more peculiarly one between Mr. Howe and Lord Falkland than between Mr. Howe and Mr. Johnston. In this session Mr. Uniacke moved a resolution, the general effect of which was to express lack of confidence in the existing administration. Upon this Mr. Howe made a speech in the legislature, which occupied several hours in delivery and was regarded as the greatest

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parliamentary effort he had hitherto made. In reply to this nearly every prominent man in the legislature, from Johnston down, who was opposed to Howe, made answer, nearly all of them speaking in a tone of bitterness and unsparing invective. After ten days debate Howe rose and made a general reply, as long, as able and as vigorous as his first effort. The opening words of this speech will serve to illustrate the delightfully easy and racy manner with which he invariably began his public utterances :—

“Mr. Chairman,—There is a good story told of an Irishman, who was put in the pillory for saying that the city authorities were no better than they should be. He bore the infliction with exemplary patience, and severe enough it was; for every silly fellow who expected an invitation to the mayor’s feast, every servile creature, who aspired to a civic office, strove to win favour by pelting him with conspicuous activity. When the hour expired, and a goodly array of missiles had accumulated upon the stage, the culprit, taking off his hat and bowing politely to the crowd, said, ‘Now, gentlemen, it is my turn,’ and, commencing with his Worship, pelted the crowd with great dexterity and effect. The Irish, who always relish humour, were so pleased with the joke, that they carried the man home on their shoulders. I have no expectation that my fate will be quite so triumphant, but no gentleman will question my right to follow the example. I have

GOVERNMENT SUSTAINED

sat for ten days in this political pillory ; missiles of every calibre have hurtled around my head ; they have accumulated in great abundance, and if my turn has come, those by whom they were showered have no right to complain. As first in dignity, if not in accuracy of aim, perhaps I ought to commence with the learned and honourable Crown officer ; but there is an old Warwickshire tradition, that Guy, before he grappled with the dun cow, tried his hand upon her calves ; and perhaps it would be as well, before touching the learned attorney-general, that I should dispose of the strange progeny his political system has warmed into existence. The eagle, before he lifts his eye to the meridian, learns to gaze with steadiness on the lesser lights by which he is surrounded ; and, as ‘Jove’s satellites are less than Jove,’ so are the learned leader’s disciples inferior to their master.”

Mr. Uniacke’s resolution was voted down by a majority of three, and the government was thus saved for another session.

During this session an incident somewhat unique in parliamentary government occurred in the House. Those who are familiar with Lord Durham’s famous report are aware that in it is broached the idea of an intercolonial railway connecting the Maritime Provinces with Quebec. In 1845 some capitalists in London set on foot the organization of a company to undertake such a work, and Mr. George R. Young, brother of William Young, then speaker

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of the House, being in London, associated himself with the movement, and the law firm, consisting of his brother William and himself, were made solicitors of the company. During the session a despatch from Lord Falkland to the colonial secretary was brought down and read in the House, in which Mr. George R. Young's name and that of his brother were repeatedly mentioned, and in which they were held up to condemnation as associates of reckless and insolvent men. The principle of mentioning private persons in official despatches was entirely unsound and would not be dreamed of at the present time, and only illustrated Lord Falkland's utter failure to appreciate his constitutional position as lieutenant-governor.

Many members of the House were indignant, and especially the speaker, who, occupying the chair, had no opportunity to refer to it. It was inevitable that some comment should be made upon it, and most public men would have taken occasion to animadvert upon this practice in terms of deprecation. Mr. Howe, whose feelings for Lord Falkland, it will be easily recognized, were not of the kindest, saw an opportunity of giving a very striking object lesson, so he rose, immediately after the reading of the despatch, and made the following terse statement:—

Mr. Howe said that he should but ill discharge his duty to the House or to the country, if he did not, on the instant, enter his protest against the

A BOLD SPEECH

infamous system pursued (a system of which he could speak more freely now that the case was not his own), by which the names of respectable colonists were libelled in despatches sent to the colonial office, to be afterwards published here, and by which any brand or stigma might be placed upon them without their having any means of redress. If that system were continued, some colonist would, by and by, or he was much mistaken, *hire a black fellow to horsewhip a lieutenant-governor.*

Naturally, this extraordinary characterization created great excitement. The question of order was raised. It appeared that no one had taken down the words, yet a vote of censure was moved by the government party and carried by their usual majority. Howe immediately addressed a long letter to his constituents on the incident, in which, in scathing terms, he dwelt upon the whole principle involved in the recent official despatches of Lord Falkland, and concluded with the following words:

“ ‘But,’ I think I hear some one say, ‘after all, friend Howe, was not the suppositious case you anticipated might occur, somewhat quaint and eccentric, and startling?’ It was, because I wanted to startle, to rouse, to flash the light of truth over every hideous feature of the system. The fire-bell startles at night, but if it rings not the town may be burned, and wise men seldom vote him an incendiary who pulls the rope, and who could not give the alarm, and avert the calamity, unless

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he made a noise. The prophet's style was quaint and picturesque when he compared the great king to a sheep stealer; but the object was not to insult the king, it was to make him think, to rouse him, to let him see by the light of a poetic fancy the gulf to which he was descending, that he might thereafter love mercy, walk humbly, and, controlling his passions, keep untarnished the lustre of the Crown. David let other men's wives alone after that flight of Nathan's imagination; and I will venture to say that whenever, hereafter, our rulers desire to grill a political opponent in an official despatch, they will recall my homely picture, and borrow wisdom from the past."

It would not be profitable to dwell further upon the acute and virulent conflict which continued for some time between Lord Falkland and Mr. Howe. It is sufficient to note that his Lordship was the first to grow tired of it, and at last, notwithstanding the support of his government, Lord Falkland became impressed with the disagreeable position in which he found himself placed. On January 1st, 1846, he omitted the usual levée at government house, recognizing that owing to his personal embroilment in the political affairs of the province, it would take almost entirely a partisan hue. No dinner or levée was held on the Queen's birthday, May 24th, and at last on August 3rd, Lord Falkland packed up his effects and sailed for England, where he soon after received another appointment

SIR JOHN HARVEY

as governor of Bombay. This was the second lieutenant-governor whom Mr. Howe, in the brief period in which he had been in public life, had driven to the wall.

Sir John Harvey, who had been governor of New Brunswick, and later of Newfoundland, was Lord Falkland's successor, and he arrived on August 11th, 1846. No appointment could have been better suited to meet the difficulties then existing in Nova Scotia. Sir John Harvey was himself a broad and liberal-minded man, and although he acted loyally upon the advice of his ministers on his arrival in the province until they were driven from office, yet unquestionably his sympathies were altogether with those who were struggling to secure constitutional government in Nova Scotia. After he had been a few months in the province he submitted a memorandum to his ministers, intimating his belief that the council should be filled up, and that it would be desirable to have leading men in the opposition offered places in the administration. The council acted upon the request of the governor and made overtures to Messrs. Howe, Young, Doyle and McNab, and these gentlemen were well assured that, if they accepted the positions thus tendered to them, they would have the confidence and support of the governor. But Howe never proposed that any such step should be taken. In the course of a year a general election must take place and his settled policy was that the situation should not

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be hampered by coalitions, but that a straight issue between the two parties should be submitted to the people, and the result of the elections determine the complexion of the administration. So in a very lengthy and elaborate paper, prepared by Howe himself, the Liberal leaders respectfully declined this proposition.

Nothing occurred in the session of 1847 to call for special note. Mr. Johnston had introduced, and carried, an excellent measure providing for simultaneous polling at the general election, which experience has amply demonstrated to be a great improvement on the old system of having elections peripatetic in their character and lasting ten days or a fortnight. After the session was over, about the end of March, both parties were absorbed in the approaching elections.

It may be mentioned that after the session of 1845, Howe with his whole family removed from the city of Halifax to a farm in Upper Musquodoboit, in the eastern part of Halifax county, forty or fifty miles from the capital, where they spent two years. Mr. Howe's own words in respect of this Musquodoboit residence may be appropriately quoted:—

“They were two of the happiest years of my life. I had been for a long time overworking my brains and underworking my body. Here I worked my body and rested my brains. We rose at daylight, breakfasted at seven, dined at twelve, took tea

MUSQUODOBOIT

at six, and then assembled in the library, where we read for four or five hours almost every evening. I learned to plough, to mow, to reap, to cradle; I knew how to chop and pitch hay before. Constant exercise in the open air made me as hard as iron. My head was clear and my spirits buoyant. My girls learned to do everything that the daughters of our peasants learn, and got a knowledge of books which, amidst the endless frivolities and gossiping of city life, they never could have acquired. My boys got an insight into what goes on in the interior of their own country, which should be of service to them all their lives. I read the *Edinburgh Review* from the commencement, and all the poets over again; wrote a good deal, and yet spent the best part of every fine day in the fields or in the woods. My children were all around me, and in health, and although I had cares enough, as God knows, and you know, I shall never, perhaps, be so happy again."

When the session of 1847 was over, Howe returned for a short time to his Musquodoboit home to rest, but it was early made manifest that the government and its friends intended to use desperate measures to secure the elections. Howe was, of course, to contest the city and county of Halifax with three colleagues, and the Conservatives had nominated four strong men to oppose them. Stories, pretty well authenticated, are told of handsome election funds which were raised by some of the

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wealthy members of the privileged class in Halifax to aid in the contest. Howe returned from his farm in May and began his campaign, first addressing a series of meetings in his own county; then he made a tour of the province, visiting twelve of the eighteen counties, and during this tour addressed sixty public meetings, accepted fifteen public dinners, and rode and drove thousands of miles. It would be impossible adequately to describe the enthusiasm which Howe's personal presence inspired as he moved over the province. His public speeches were admired, but his personality, as he shook hands and cracked jokes with thousands of men and women, was a greater feature in evoking personal regard than even his matchless and persuasive addresses.

The elections were held on August 5th, and resulted in the Liberals obtaining a handsome majority. Mr. Howe and his three colleagues were returned for Halifax. After the election, worn out, he went straightway to his little farm in Musquodoboit, but before he reached the Middle settlement, the inhabitants of the entire section turned out in carriages and on horseback, with banners flying, to meet him, and escorted him, for some twenty miles, to his home. A wagon with the raised seat festooned with flowers, and drawn by six horses, was waiting for him; an address was presented to him by the people of Upper Musquodoboit and of Middle Musquodoboit, and every token of the esteem and affection in which he was held was

JOHNSTON RESIGNS

bestowed. "For a month afterwards," said Mr. Howe, "I did nothing but play with the children and read old books to my girls. I then went into the woods and called moose with the old hunters, camping out night after night, listening to their stories and calming my thoughts with the perfect stillness of the forest, and forgetting the bitterness of conflict amidst the beauties of nature."

Johnston and his associates did not accept their defeat gracefully. Although no doubt as to the result of the election could exist, yet Johnston took no steps to vacate office, and met the House on January 22nd, 1848. Howe proposed Mr. William Young for speaker. This was bitterly opposed by Johnston and the government. Mr. Young was elected by six majority. Still no resignation. On January 24th, Mr. James B. Uniacke moved an amendment to the address, concluding with this statement, "and we consider it our humble duty respectfully to state that the present executive council does not possess that confidence so essential to the promoting of the public welfare, and so necessary to insure to Your Excellency the harmonious coöperation of this assembly." This was carried by a vote of twenty-eight to twenty-one, and, the day after, Mr. Johnston's government resigned, and Mr. James B. Uniacke was called upon to form an administration¹.

¹ The bitterness of the fight, which centered in Halifax, was extreme. "Young gentlemen in and out of College swore great oaths over their wine, and the deeper they drank the louder they swore. Their elders

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declared that the country was going to the dogs, that in fact it was no longer fit for gentlemen to live in. Young ladies carried themselves with greater hauteur than ever, heroically determined that they at least would do their duty to Society. Old ladies spoke of Antichrist, or sighed for the millenium. All united in sending Howe to Coventry. He felt the stings. 'They have scorned me at their feasts,' he once burst out to a friend, 'and they have insulted me at their funerals.'

When Uniacke left the Tory camp, his own friends and relatives cut him in the street. When Lord Falkland requested the resignations of the four irresponsible councillors, their loyalty to the Crown did not restrain their attacks upon himself. His sending his servants to a concert was spoken of as a deliberate insult to the society of Halifax; and his secretary was accused of robbing a pawnbroker's shop to replenish his wardrobe."—See G. M. Grant, "Joseph Howe," (Halifax, 1906).

CHAPTER VI

THE LIBERAL MINISTRY

THOSE who have perused the preceding chapters, and have formed, it is hoped, a justly high opinion of Mr. Howe's talents and achievements, of his splendid courage, his unceasing devotion to the Liberal cause, his unrivalled eloquence and his matchless power of winning the confidence and affection of the masses, will probably wonder why, when the Tory government had been driven from office, Howe himself was not called upon to form an administration. Those who will take the pains to study carefully and philosophically the history of popular government throughout the world will scarcely need an answer. Public life in all free countries reveals usually two classes of men, one which possesses great talent, great courage, great intellectual endowments and capacity to revolutionize events and make history; another, which, but moderately endowed with these particular qualities, has the advantage which mediocrity always bestows of possessing the confidence of average people, by dint of a reputation for judiciousness derived from the possession of average qualities. In former days in Great Britain, such men as the Pitts were able, it is true, to obtain the premierships, and in these

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later days, Mr. Gladstone and Lord Beaconsfield might perhaps be classed as the distinguished exceptions to the general rule, although a careful insight into Lord Beaconsfield's career indicates that he possessed to a very marked degree the quality of gauging public opinion and adjusting himself to it. But for the most part the premiers of Great Britain have been men of average, all-round ability, but who could reckon among their qualities that of being able to appeal to the ordinary mortals whom they were governing. In the United States, Daniel Webster, Henry Clay, John C. Calhoun and James G. Blaine could never be president, but James Polk, James Buchanan, Millard Fillmore, Rutherford B. Hayes and Benjamin Harrison could. The history of Canada and her several provinces has illustrated, often enough, the principle that the man who obtained the leadership was not necessarily the man who was guiding the policy of the country or making history. Mr. James B. Uniacke was a gentleman of education, wealth, high social standing, and of long experience in public affairs, and it was most natural that he should have been chosen to lead the administration to be formed. He chose for his colleagues Messrs. Michael Tobin, Hugh Bell, Joseph Howe, James McNab, Herbert Huntington, W. F. Desbarres, Lawrence O'C. Doyle, and George R. Young.

The defeat of a Tory administration, and the accession, as a result, of a Liberal administration,

THE NEW ADMINISTRATION

constitutes the final act in the triumph of responsible government in Nova Scotia. The advent of Lord Elgin to Canada on the departure of Lord Metcalfe may be named as the period when responsible government in its amplest form received full recognition in the larger provinces of Canada. Never, after 1848, was the idea entertained in any province of British North America, having a constitution, that an administration could hold office an hour longer than it had the confidence of the people represented in the popular branch.

The new administration had some unpleasant reforms and changes to make. In the formation of the administration Mr. Uniacke became attorney-general, and Mr. W. F. Desbarres solicitor-general, and these were the only departmental offices that then existed. Sir Rupert D. George has been mentioned as perpetual provincial secretary ; it was determined to get rid of him. He resigned his seat in the executive with the rest of the government, but he did not think of resigning his office as provincial secretary. Provision was made by order-in-council for a retiring allowance, and he, having obstinately refused to bow to the popular will, was dismissed, and Howe became provincial secretary, holding it as a departmental and political office, subject to the exigencies of the government to which he belonged. The treasurer was an officer hitherto appointed by the governor, who had exercised this power in Lord Falkland's time by the

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appointment of Mr. Samuel P. Fairbanks. This was loudly protested against, and Howe gave pledges that this officer should be a responsible minister. A departmental bill was introduced whereby the two departments of financial secretary or finance minister, and receiver-general or treasurer were created, and these offices were bestowed, the first upon Mr. Herbert Huntington, and the last upon Mr. James McNab. The casual and territorial revenues were taken possession of by the government, and the salaries of the various officials, including the governor, judges, etc., were provided for by a civil list made statutable, and subject at all times to the independent action of the legislature of the province. Great official documents of protest went to the colonial office from all the officials affected, but they were met triumphantly in able official despatches prepared by Howe, and it is to be noted that the lieutenant-governor, Sir John Harvey, stood loyally and steadily with the members of his administration in all the acute measures which they were compelled to take in order to give full effect to the principles of responsible government. In a despatch by Sir John Harvey to the colonial secretary, dated soon after the formation of the new administration, he makes this observation:—"I may therefore, perhaps, venture to regard the introduction of a system of responsible government in Nova Scotia, as having been practically effected upon fair, just principles, and without the necessity

CONSTITUTIONAL REFORM

of having recourse to any measure of a stringent character, except in the single instance of the provincial secretary, and that a great step has been taken towards the political tranquilization of this long distracted colony, inasmuch as I apprehend no factious opposition, to any measure of acknowledged utility, from the party under the guidance of my late government." This may be fairly taken as an official pronouncement of the establishment of responsible government.

In looking over the long and arduous struggle, two or three things may be safely predicted without fear of challenge. The author, the moving spirit, the supreme champion, and the acknowledged hero of responsible government in Nova Scotia, was Joseph Howe. He achieved it by perfectly constitutional means; not a disloyal word was uttered by him or his friends during the entire contest, though perpetually branded as rebels and provoked by official stupidity. He lent the weight of his great influence to uphold constitutional methods, in the struggle in Canada and New Brunswick. He discountenanced rebellion and bloodshed in both Upper and Lower Canada, and when at a later date riots occurred in Montreal, when Lord Elgin was pelted with rotten eggs, and the parliament buildings burned by a mob because of a measure to compensate losses by rebellion, and when, also, the British American League was organized in Montreal, revolutionary in its aims and disloyal in

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its utterances, Howe addressed a letter to the Hon. George Moffatt, the president of the League, dated May 8th, 1849, in which he threw upon the entire movement the greatest possible opprobrium, and in scathing terms intimated that no sympathy could be expected from the provinces by the sea in this disturbing and disloyal movement. Some extracts from this famous letter will certainly be read with interest, and will illustrate Howe's incisive method of dealing with current topics:—

“We gather from the ‘scholastic production’ to which your name is attached, that a convention, called by yourself, is to supersede the parliament of Canada. This movement for dispensing with the services of the legislature, it seems to us Nova Scotians, very naturally generated the idea that the building in which it sat was an encumbrance; and that its books and papers, fraught with occult sciences and varied superstition, were dangerous to the progress of society. Lord Elgin, who stood in the way of Mr. Protector Moffatt, was pelted as a matter of course; and as the old parliament house was too small to hold the convention, it was very reasonable that the mob should exclaim: ‘Burn it down, burn it down; why cumbereth it the ground?’ The promulgation of your manifesto, and the occurrence of subsequent events, take us somewhat by surprise in this benighted province; but nothing appears more natural than the sequence.

“As you have appealed to North Americans in

THE HALIFAX CONVENTION

your address, and as the mob of Montreal have favoured us with their interpretations of its contents, I am induced to inquire whether it be the true one, and whether pelting the queen's representative, dispersing our parliaments, and burning our books, are to be indispensable preliminaries in joining the British American League?"

In taking office, therefore, in 1848, with responsible government fully achieved in Nova Scotia, Howe had not to lament the utterance of a seditious word or an act unworthy of British statesmen. The government so formed by Messrs. Uniacke and Howe continued during the four years term of parliament, and dealt with many questions, but it is not necessary to refer at length to these. The entire revenues of the country were placed absolutely at the disposal of the legislature; the postal system, which had been previously managed under imperial control, was vested also absolutely in the provincial government; a postmaster-general was duly appointed by the executive, and the whole post-office system made as subject to the people's control as the customs, roads or education. Howe, during his term of office, again brought forward his educational measure, and made another great speech in its behalf, but could secure no adequate support at that time from the legislature.

Early in September, 1849, a convention was held in Halifax, consisting of delegates from Canada, New Brunswick, Prince Edward Island, and Nova Scotia

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—all the members of the Nova Scotia government attending as delegates. The object was to consider the commercial conditions of the country, and, after a full discussion of several days, a resolution was adopted, apparently unanimously, affirming, in effect, that a system of reciprocal trade between this country and the United States was essential to the proper commercial development of the country. This may be regarded as the first organized movement in the direction of a reciprocity treaty with the United States, which culminated in the treaty secured by Lord Elgin in 1854.

CHAPTER VII

HOWE AND RAILWAYS

WHEN Howe entered public life, railroads were just coming into vogue in the world. In 1830, the experiment of operating railways was successfully inaugurated in both Great Britain and the United States. Naturally these new and somewhat expensive means of communication were confined at first to great centres, but quickly enough began to be extended, and before 1840 they had become an important feature of transportation. An eye like Mr. Howe's could not long escape observing the necessity and utility of railways, and as early as 1835, a year before he had been elected to parliament, he wrote a long and elaborate editorial in the *Nova Scotian*, advocating a railway from Halifax to Windsor, that point being selected because it is situated on the Basin of Minas which opens into the Bay of Fundy, and would thus connect Halifax, by means of the numerous ports along the Bay, with a large section, not only of the western but of the eastern portions of the province as well.

After entering public life, Howe felt that the question of responsible government was paramount, and until Nova Scotians had the right to govern themselves and secure full control over their own

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resources and revenue, it was useless to consider other questions. For twelve years, therefore, he devoted his undivided attention to this great question, with results which we have been able to appreciate.

When the Liberal government was formed in 1848, an order-in-council was passed, at an early session, authorizing the survey of a line of railway between Halifax and Windsor. Mr. Howe, associated with Mr. W. F. Desbarres, was appointed commissioner to carry out the terms of this resolution, and a survey was made and estimates of costs given which were submitted to the legislature in 1849. The exhaustive report made by Lord Durham in 1839 constitutes the origin of many important questions which have since then engaged the attention of British American statesmen, and have led to great and far-reaching measures. One of the suggestions in this famous report was a railroad on Canadian soil to connect the Maritime Provinces with Canada. Durham urged it both as a military necessity and as a pre-requisite of the political union of British North America. However, as the imperial government and parliament did not give much effect to Lord Durham's recommendations, they did not lead to any immediate practical results in British North America.

In 1845 a company was formed in London which proposed to build a railway from Halifax to the St. Lawrence, and this proposition was submitted

THE INTERCOLONIAL RAILWAY

to the governments of the several provinces for their support. A public meeting was held in Halifax to consider the matter, and a resolution was passed asking the government to aid and support such an undertaking. In this movement, Howe did not, at first, take an active part. At the moment his chief duty was to secure the downfall of Lord Falkland and the Tory administration, and to that single purpose he devoted himself until after the elections of 1847. The legislature, however, at the instance of the governor, in 1846, adopted a resolution pledging Nova Scotia to co-operate with the other provinces interested in a joint survey of the line to the St. Lawrence, which we may designate by the name which it has since acquired as the Intercolonial Railway. The sum of ten thousand pounds was spent by the governments of Canada, New Brunswick and Nova Scotia in securing this survey which was made by Major Robinson, and has become known in Canadian history as the Robinson Line, which indeed, does not differ very materially from the line which was adopted in 1868 as the route of the present Intercolonial Railway. The Robinson survey was submitted to the legislature in 1849. Mr. Howe was then in power, and during that session the government submitted to the legislature a measure giving the right of way with ten miles of Crown land on either side, and twenty thousand pounds sterling per annum as a subsidy to be paid until the road was able to earn profits.

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Similar legislation was adopted in Canada and New Brunswick. At this time it was believed that the imperial government would also contribute to the construction of this road, which was deemed of immense importance from an imperial point of view. No action, however, was taken by the imperial government immediately, but at a subsequent date a report was obtained from a Captain Harnett, R.E., who spoke unfavourably and in disparaging terms of the entire enterprise, and the British government, in distinct terms, declined to render any assistance. Such was the position of railway matters in 1850.

So far as can be judged by his recorded utterances, and by his general policy, Mr. Howe, from the beginning, had been favourable to the policy of the construction and owning of railways by the government. He always argued with warmth that railways were, like other highways, for public utility, and should be owned and controlled by the public and for the public. Seeing nothing likely to arise out of these larger schemes which were as yet somewhat vague, Howe proposed a resolution in the session of 1850, pledging the credit of the province to the extent of three hundred and thirty thousand pounds for the construction of a railway between Halifax and Windsor, and made an eloquent speech in support of it. Naturally a new proposition involving a public debt created a good deal of opposition, and was one of those

RAILWAY PROJECTS

advanced movements which always alarm the timid and the ignorant. Howe fought for his resolution as well as he could, and foreseeing the impossibility of getting the whole sum voted, finally yielded sufficiently to secure the voting of half this sum, feeling well assured in his mind that if once the enterprise could be inaugurated he would have no difficulty in getting the remaining amount voted subsequently. During the summer of 1850, considerable excitement in railroad circles arose in connection with a scheme for uniting Portland with the Maritime Provinces by means of a road then named the European and North American Railway. This project was to unite Nova Scotia and New Brunswick by rail with the rapidly developing railroad system of the United States, and to further this movement a great railway convention was held at Portland, July 1st, 1850, and delegates from the governments of New Brunswick and Nova Scotia were invited to attend. The delegates from Nova Scotia were Mr. James B. Uniacke, the leader of the government, Mr. Johnston, the leader of the opposition, and Mr. Fraser, of Windsor. The gathering was a notable one. Great hospitality was bestowed upon the visiting delegates by the city of Portland. Eloquent speeches were made, and resolutions were adopted with great enthusiasm that a company should be formed to carry out this enterprise at once.

When the Nova Scotian delegates returned,

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a public meeting was called at Temperance Hall, Halifax, to receive their report and to take into consideration what measures should be adopted on the part of Nova Scotia to further this project. When the scheme came to be carefully examined it was found that the road would cost at least twelve million dollars and no steps appeared to have been taken at this enthusiastic Portland convention to determine where the money should be found. Certainly no company was available with sufficient capital to carry on this enterprise. The state of Maine could hardly undertake its portion of the work because it had already mortgaged its resources to the limit for railway construction within the state. The larger portion of the line would traverse New Brunswick which had scarcely two hundred thousand inhabitants and could not afford, on its own responsibility, to raise the money for this work, and Nova Scotia's contribution of one hundred and forty miles to the frontier, would involve, under the most favourable conditions, a very large sum. After resolutions had been passed, thanking the delegates for their efforts, adopting the line proposed and recommending Halifax as a terminus, Howe arose and began that active participation in railway enterprises in British North America which has placed his name foremost among all men who are associated with this critical period in Canadian history. A resolution had been moved appointing a large committee to coöperate

THE PORTLAND SCHEME

with the people of Portland. Howe made a speech on this resolution, which completely changed the whole temper of the meeting and incidentally reveals how thoroughly he had considered all phases of the railway question. He pointed out in clear and incisive terms the impracticability of this Portland scheme under existing conditions. He declared that no considerable portion of the great sum required for the construction of this road could be raised by the provincial guarantees of Nova Scotia or New Brunswick or the state guarantees of Maine. The only way that any railroads could be constructed in these provinces for a long time to come was by their government assuming the responsibility, pledging their public revenues, borrowing money and expending it directly on the work. His resolution was as follows :—

“Resolved, That, as it is the first duty of a government to construct and to control the great highways of a country, a respectful address be prepared and presented to the lieutenant-governor, praying that His Excellency would recommend the provincial parliament to undertake the construction of that portion of this important work which is to pass through Nova Scotia on a line between Halifax and the frontier of New Brunswick.”

This lucid proposition commanded instantly the unanimous and enthusiastic support of the entire meeting. An address signed by the mayor and the city council was presented to the lieutenant-

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governor urging his government to take immediate measures to secure the construction of railways in Nova Scotia, on the authority of the government's credit. The governor very soon afterwards sent a despatch to the colonial secretary, indicating the movement in favour of railway construction in the province, and the necessity of spending about eight hundred thousand pounds sterling, which at six per cent. interest, would have to be paid by the province and would amount to forty-eight thousand pounds. This, with an imperial guarantee, could be secured at three and a half or four per cent. and would thus make the annual expenditure for interest throughout the province very much less. Earl Grey, in his response under date September 21st, 1850, intimated to Sir John Harvey his entire approbation of the support which he and his administration were giving to railway construction, and stated that in his opinion it would be of the highest service to Nova Scotia and New Brunswick to have railways constructed. He concluded, however, with the statement that, while very anxious to promote the enterprise, he regretted to say that Her Majesty's government would not recommend to parliament any measure for affording pecuniary assistance for the construction of even the railway from Halifax to Quebec, and still less for the construction of any similar railway less national in its character to be undertaken by the people of Nova Scotia. This action of the imperial government is only in line

A DELEGATE TO ENGLAND

with the general policy pursued steadily for many years in colonial enterprises. It is possible, perhaps, that in the end, its result has been advantageous to these provinces, because it has fostered a spirit of self-reliance. Whether increased independence bears with it a corresponding increase of cohesion within the empire is a deeper question than the immediate future will solve.

Howe and his friends were not entirely discouraged by this summary disposal of their proposition by the imperial government, and it was determined that in order that the question be properly understood by the home authorities, capitalists and railway contractors, a delegate should be forthwith sent to England to give light upon the resources of the country, and at the same time to enlist the sympathies and produce broader views on the part of British statesmen. Howe was naturally chosen for this task, and on the first day of November, 1850, he sailed for England. Upon arriving there he at once sought an interview with the colonial secretary, Earl Grey, and after thus opening up the important subject he had come to discuss, he addressed two letters to him, embodying fully and exhaustively the exact situation in relation to the various provinces of British North America. It is necessary again to repeat that the only satisfactory biography of Howe is the publication of his own speeches and letters. A mere epitome of these letters would give no adequate idea of their

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wealth of information or bold and splendid grasp of all the great problems which, for more than fifty years since that date, have been and still are, engaging the attention of the best minds British America has produced: the advantages of railways and the necessity for better steam communication between Great Britain and Halifax; the importance of uniting all these provinces by a railway between Halifax and the St. Lawrence; the desirability and importance of making Canada, through direct imperial effort, a field for the great emigration which was going out from the British Isles; and the interest which the inhabitants of Britain themselves had in the development of the active and progressive peoples that had sprung from their loins and settled in growing communities throughout the world; and, above all, the supreme importance of binding them together in one common policy, imperial in its character, and bringing to the councils of the empire the intellect, sympathy and coöperation of all the bright minds, reared and to be reared in its outlying portions. These letters appear in the "Speeches and Public Letters," Vol. II., page 400, and may also be found in the "Journals of Nova Scotia" for 1851.

Every moment of Howe's time during his protracted sojourn in Great Britain was devoted to stirring up interest, among all classes, in British American affairs. The publication of these letters in England at once riveted the attention of the

SPEECH AT SOUTHAMPTON

foremost men in Great Britain upon this broad colonial statesman. He received an invitation from the mayor and corporation of Southampton¹ to address a public meeting in that important seaport, and he did so on January 14th, 1851. The hall was crowded with an audience composed of the best people in the city. The speech delivered by Howe upon this occasion is regarded by many of his friends as his greatest effort. It would be difficult, however, out of such a number of orations as must be put to his credit, to assign first place to any one. It certainly was an effective address. One extract only can be given:—²

“When I last visited Southampton I little thought that I should ever return to it again, and certainly never dreamed that I should have the honour and the privilege to address, within its ancient walls, and with the evidences of its modern enterprise all around me, such an audience as is assembled here. I was then a wandering colonist, surveying, eleven years ago, Europe for the first time. Attracted to Southampton by the beauty of its scenery and by its old associations, when I entered your spacious estuary, and saw on the one side the fine old ruin of Netley Abbey and on the other the New Forest, famed in ancient story, I felt that I was approaching a place abounding in interest and honoured by its associations. And when I put my

¹See appendix E

²See “Speeches and Letters,” Vol. II., page 32.

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foot on the spot trodden in days of yore by the warriors who embarked for the glorious fields of Agincourt and Crécy, and on which Canute sat when he reproved his fawning courtiers, I felt my British blood warming in my veins, and knew that I was indeed standing on classic ground.

“But, sir, on that occasion I did not see those evidences of commercial prosperity which I was anxious to observe. In visiting to-day your splendid docks, your warehouses, your ocean steamers, your railways, and rising manufactories, which have been created by untiring energy and honourable enterprise within a few years, my pride in your historical associations was quickened and enlivened by the proofs of modern enterprise which distinguish this great seaport.

“The object of my visit to England is to draw closer the ties between the North American provinces and the mother country. To reproduce England on the other side of the Atlantic; to make the children, in institutions, feelings, and civilization, as much like the parent as possible, has been the labour of my past life; and now I wish to encourage the parent to promote her own interests by caring for the welfare and strengthening the hands of her children; to show to the people of England that across the Atlantic they possess provinces of inestimable value.”

The effect produced by this speech was gratifying. Howe was invited to attend a banquet

EFFECT OF HOWE'S VISIT

given by the corporation, his health was proposed by the mayor and drunk with great enthusiasm, and the *Hampshire Independent*, the leading paper of the city, referred to his visit and speech in terms of the highest appreciation. The metropolitan press devoted a great deal of attention to Howe's utterances on colonial questions, and in the House of Lords a discussion arose on the subject of his letters to Earl Grey. Lords Stanley and Mounteagle referred especially in strong terms to the importance of the questions opened up by these letters, and asked the government what policy they intended to pursue in view of these representations, strongly urging that Howe's propositions be accepted.

Mr. Howe's utterances attracted another class—the railway magnates, Sir Morton Peto, William Jackson and Thomas Brassey, who were capitalists and railway contractors. They put themselves in communication with Howe, and thus became interested in Canadian railways. These men did not prove of advantage to Howe's aims and policy, but they were led to an investigation of Canadian resources, and ultimately became associated with the construction of the Grand Trunk Railway.

Of social attentions while in London on this occasion, Howe was the constant recipient, but naturally his mind was mostly absorbed in the great purpose of securing an imperial guarantee for the construction of a railway from Halifax to

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Quebec, which would carry with it a railway from Halifax to the New Brunswick border, and thus incidentally serve the interests of the eastern and northern portions of the province. In endeavouring to get some definite action on the part of the Whig ministry then in power, Howe experienced enormous difficulties. During the session of 1850-51, parliament was embroiled in acute faction fights; to such a degree, indeed, were these dissensions carried that on February 21st, 1851, about the time that Howe was hoping to have obtained favourable consideration of his propositions from Earl Grey, Lord John Russell's ministry resigned, and this left everything in doubt and difficulty. The session in Nova Scotia had already opened, and Howe realized the importance of having something to submit to the House of Assembly before it prorogued. For several days it was extremely doubtful what would become of the ministry, or whether Lord Derby or some person else would undertake to form another. This suspense lasted until March 3rd, when Lord John Russell resumed office and agreed to continue the government. By the 10th, Howe was able to obtain a letter from Mr. Hawes, written under the authority of Earl Grey, the colonial secretary, and this letter was in every way exceedingly encouraging and satisfactory. Indeed, it went further in this direction than any subsequent action on the part of the imperial government in respect to guarantees of colonial loans. A possible exception to this

LETTER OF MR. HAWES

was the undertaking to guarantee a portion of the money required for the construction of the Intercolonial Railway at the inauguration of confederation in 1867. The important points of Mr. Hawes's letter, which was somewhat lengthy, were as follows:—

“I am directed to inform you that Her Majesty's government are prepared to recommend to parliament that this guaranty should be granted, or that the money required should be advanced from the British treasury, on the conditions which I will now proceed to state. In the first place, as Her Majesty's government are of opinion that they would not be justified in asking parliament to allow the credit of this country to be pledged for an object not of great importance to the British Empire as a whole (and they do not consider that the projected railway would answer this description, unless it should establish a line of communication between the three British provinces), it must be distinctly understood that the work is not to be commenced, nor is any part of the loan—for the interest on which the British treasury is to be responsible—to be raised, until arrangements are made with the provinces of Canada and New Brunswick, by which the construction of a line of railway passing wholly through British territory, from Halifax to Quebec or Montreal shall be provided for to the satisfaction of Her Majesty's government.

“In order that such arrangements may be made, Her Majesty's government will undertake to recom-

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mend to parliament that the like assistance shall be rendered to these provinces as to Nova Scotia, in obtaining loans for the construction of their respective portions of the work. If it should appear that, by leaving each province to make that part of the line passing through its own territory, the proportion of the whole cost of the work which would fall upon any one province, would exceed its proportion of the advantage to be gained by it, then the question is to remain open for future consideration, whether some contribution should not be made by the other provinces towards that part of the line; but it is to be clearly understood that the whole cost of the line is to be provided for by loans raised by the provinces in such proportions as may be agreed upon, with the guaranty of the imperial parliament. The manner in which the profits to be derived from the railway when completed are to be divided between the provinces will also remain for future consideration."

This important letter, Howe at once communicated, with an elaborate report, to his government, and on April 5th sailed for Halifax, arriving home on the 14th.

During Howe's absence some difficulties had arisen in connection with the ministry, which involved the resignation of one of the ministers, Mr. George R. Young, and Howe was called upon to exercise his tact in allaying any unpleasant feelings that had arisen from these internal dissensions.

CONFLICTING PROJECTS

Howe's report and the despatches from Downing Street were laid before the House, and were received with an almost universal chorus of approval. Of course, those opposed to the ministry and opposed to government railways made some criticisms, but the sentiment almost universal in the legislature and throughout the province was that Howe had achieved a great work and had succeeded in an unexpected degree in enlightening Her Majesty's ministers and interesting them in the affairs of British North America.

Another difficulty which immediately presented itself to Howe was the opposition which the promoters of the Portland scheme offered to his proposal. The imperial government did not undertake to guarantee provincial bonds for the construction of a railway from Halifax to Portland. The foundation of their guarantee was that imperial interests were concerned in the construction of a railway from Halifax to the St. Lawrence, and there were many persons in both provinces who looked upon the Portland scheme as the more useful and desirable. Howe did not offer any opposition to the Portland project, but he exerted all his efforts to securing the construction of the Intercolonial Railway, regarding this enterprise as having important and far-reaching relations to the consolidation of the British American provinces and the strengthening of the empire. Howe, armed with Mr. Hawes's letter, had now the task of securing the coöperation of

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New Brunswick and Canada in furthering this great enterprise. It became necessary, consequently, that he should at once take steps to that end, though his first care was that the people of Nova Scotia should be fully enlightened upon the whole question. Before leaving, therefore, for New Brunswick and Canada, Howe addressed a great public meeting of the citizens of Halifax at Mason Hall on May 15th, and this speech sets forth in masterly terms the whole position of British North America, its importance to the empire and its great future. Note one passage:—

“With such a territory as this to overrun, organize and improve, think you that we shall stop even at the western bounds of Canada? or even at the shores of the Pacific? Vancouver’s Island, with its vast coal measures, lies beyond. The beautiful islands of the Pacific and the growing commerce of the ocean, are beyond. Populous China and the rich East, are beyond; and the sails of our children’s children will reflect as familiarly the sunbeams of the South, as they now brave the angry tempests of the North. The Maritime Provinces, which I now address, are but the Atlantic frontage of this boundless and prolific region, the wharves upon which its business will be transacted, and beside which its rich argosies are to lie. Nova Scotia is one of these. Will you, then, put your hands unitedly, with order, intelligence, and energy, to this great work? Refuse, and you are recreants to

A PROPHETIC UTTERANCE

every principle which lies at the base of your country's prosperity and advancement ; refuse, and the Deity's handwriting upon land and sea, is to you unintelligible language ; refuse, and Nova Scotia, instead of occupying the foreground as she now does, should have been thrown back, at least behind the Rocky Mountains. God has planted your country in the front of this boundless region ; see that you comprehend its destiny and resources —see that you discharge, with energy and elevation of soul, the duties which devolve upon you in virtue of your position. Hitherto, my countrymen, you have dealt with this subject in a becoming spirit, and whatever others may think or apprehend, I know that you will persevere in that spirit until our objects are attained. I am neither a prophet, nor a son of a prophet, yet I will venture to predict that in five years we shall make the journey hence to Quebec and Montreal, and home through Portland and St. John, by rail ; and I believe that *many in this room will live to hear the whistle of the steam engine in the passes of the Rocky Mountains and to make the journey from Halifax to the Pacific in five or six days.*"

In 1871, when British Columbia was incorporated into the Dominion of Canada under the condition that a railroad should be built to the Pacific ocean in ten years, most men regarded this as a vast and, perhaps, impossible undertaking. It required faith, in 1871, to undertake such a project by a united

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Canada which had grown enormously in population and resources during the preceding twenty years. What are we to think of the great mental vision and splendid faith of a man who, before confederation was seriously conceived, could, in 1851, make a prediction that men within the sound of his voice would live to hear the whistle of the steam engine in the passes of the Rocky Mountains ?

In New Brunswick, Howe had to encounter exceptional difficulties. The interests of the greater number of the people seemed to be in the direction of the railway to Portland, and the route which Major Robinson had selected for the Intercolonial ran along the north shore of New Brunswick, where population at that time was slight ; it did not touch the cities of St. John and Fredericton, nor the populous centres of the St. John River. Howe had no less a task before him than to convert the people and government of New Brunswick to his views and interest them in carrying out their share of the project according to the terms of Hawes's letter. He addressed meetings at Dorchester, Moncton, St. John and St. Andrews, and then visited Fredericton to confer with the governor and members of the government. In his public speeches in New Brunswick, Howe grappled with the matter most adroitly and clearly demonstrated that there was no disposition on his part or on that of the government of Nova Scotia to interfere with any of New Brunswick's railway projects, but merely to interest them

HOWE'S SCHEME ACCEPTED

in a project of common advantage to all British American provinces, namely that of securing a line from Halifax and St. John to the St. Lawrence. He undertook to point out to them that by means of this promised guarantee of a loan from the imperial government, the money for both projects could be obtained upon conditions involving scarcely more obligations upon their province than one project would entail. The result of his efforts in New Brunswick was entirely successful, and he was able to induce Mr. Chandler, a leading New Brunswick statesman, to accompany him to Toronto, where he was to meet the Canadian government, with Lord Elgin at its head, on June 15th. On his way thither he passed through Portland, and being entertained by the leading citizens, he so presented his new scheme as to modify any hostility on the part of Portland or the people of Maine.

The Canadian government, after full consultation with Messrs. Howe and Chandler, promptly accepted Howe's scheme and adopted a minute of council agreeing to recommend to parliament at the next session a measure to provide their portion of the Intercolonial Railway loan upon the terms embodied in Mr. Hawes's letter on behalf of the colonial secretary. Mr. Chandler, after this order-in-council had been passed, returned at once to New Brunswick to endeavour to procure a similar order-in-council from his government. Howe remained for a short time in Canada, and he was everywhere

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received with the greatest enthusiasm. A public dinner was given to him by the citizens of Toronto, which the governor-general, Lord Elgin attended. He and Mr. Chandler were taken to Hamilton accompanied by leading members of the legislature, and were entertained by Sir Allan MacNab. Coming down to Montreal, Howe was given a public dinner by the leading merchants of that city, at which Mr. (afterwards Sir) Hugh Allan, the president of the Board of Trade, presided. He was also given a picnic at Belœil. The public addresses of Mr. Howe in Montreal were delivered very soon after the outburst of dissatisfaction with trade matters, which led to the issuing of an annexation manifesto, and the whole tenor of his speeches was to enlarge upon the value of British connection, and to invoke not only colonial pride, but to make it coincide with a due regard to the obligations we owed to the motherland. At Quebec Howe was given a notable reception. He was invited by the mayor and corporation to address a public meeting, and his speech was lauded by the press in the most flattering terms. He was tendered a public banquet, but declined. Indeed, at this moment Howe was the most prominent figure in British North America. Mr. Angers, at the meeting at Quebec, declared that "For his zeal, talent and success in promoting the great Halifax and Quebec railway, the Hon. Joseph Howe would be considered the benefactor not only of Nova

A CHANGE OF CONSTITUENCY

Scotia but of all the North American colonies." Howe returned to Nova Scotia, passing through Dorchester, N.B., on his way. He met the Hon. Mr. Chandler, who informed him that the government of New Brunswick had ratified the agreement made in Toronto, and was prepared to construct the two lines upon the terms proposed.

On July 21st, Howe reached Halifax, and was greeted by enthusiastic demonstrations of welcome on the part of the citizens, including a display of fireworks. He had prepared a lengthy and circumstantial report of his mission to New Brunswick and Canada, which was published at once and gave universal satisfaction.

The House of Assembly was dissolved on July 26th. Mr. Howe, who had been a representative of the metropolitan constituency of Halifax since his entry into public life, resolved to seek a constituency at this election in Cumberland county, alleging as a reason that the attention required by the interests of a county so large and populous as Halifax pressed upon him too severely in connection with his larger public duties. It seems probable, however, that Howe, being well assured that Halifax was perfectly safe to elect four supporters of the government, felt it desirable that he should secure support in another constituency by his presence. The elections were sharply contested by the opponents of the government, and there were signs of opposition in the county of Cumber-

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land, but Howe on entering the county proceeded with an active canvass, rode on horseback four hundred miles in twelve days, and made twenty speeches, which produced such an effect that opposition was withdrawn.

To indicate how highly Howe was appreciated outside of the province, an extract from a speech delivered during this campaign at Amherst, by the Hon. Mr. Chandler of New Brunswick, will be a striking testimony:—

“Mr. Howe need not, on personal grounds, come to Cumberland to seek a seat. Any constituency in the three provinces would be proud to accept his services. His reputation is North American, his speeches at Southampton, his letters to Earl Grey, have elevated all the provinces in the estimation of Europe—have roused them to a knowledge of their own resources. I do not hesitate to say that no other man in the empire could have conducted that negotiation so ably, that no other man could have ripened this great scheme, so far, or can now bear up the weight of it in the legislature. This we all feel to be true; but what I admire about Mr. Howe is the simplicity of his manners, combined with such high intellectual resources. Negotiating with ministers of state, at the governor-general’s council board, or even in the presence of his sovereign, as beneath the lowly roof of the humblest farmer in the land, he is ever the same—Joe Howe.”

The result of the election was altogether favour-

RAILWAY MEASURES PASSED

able to the government. Halifax returned four supporters; Howe and his colleagues were elected in Cumberland by acclamation, and a good working majority was obtained.

The railway policy, which had thus been apparently consummated, so far as the three provinces were concerned, was doomed to be shattered. The compass of this work does not include a history of Canada, nor is it profitable to enter into details of the difficulties which ensued. Messrs. Jackson, Peto, Betts and Brassey had fixed their minds upon railway enterprises in Canada, and sent their agents with all kinds of specious proposals for the construction of the work. Howe was not captivated by these, but wished to adhere strictly to the original proposition of having the road between Halifax and Quebec constructed by the three governments, the loan for the necessary money to be guaranteed by the imperial government.

The legislature of Nova Scotia was called together on November 4th, and Howe soon after brought down the railway bills, which pledged Nova Scotia not only to the construction of a piece of road between Halifax and New Brunswick, but for thirty miles beyond the boundary. After a protracted debate his railway measures were carried by large majorities. It became evident, however, soon after, that New Brunswick was being captivated by propositions from English capitalists for the construction of the road to Portland, and Mr. Hincks,

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representing the Canadian government, came down to New Brunswick, and a conference of the three provinces was asked to meet at Fredericton to reconsider the whole question. Mr. Howe declined to join this conference, foreseeing then the influences that were at work. The delegates, however, came to Halifax, and it was easy to see that there was a determined disposition on the part of New Brunswick, aided by the influence of the Canadian government to make the route of the Intercolonial by the valley of the St. John River, rather than by the Major Robinson route. Howe would not join in this movement because he believed it would jeopardize the imperial guarantee. The New Brunswick legislature, however, adopted this proposition, and the next step was to obtain the consent of the imperial government to the changed route. Messrs. Hincks and Chandler went to England. They asked Howe to join them. It was, however, impossible for him to accede to this for the reason that the election of himself and Mr. Fulton had been set aside by a committee of the legislature, and it became necessary for him in mid-winter to contest an election in Cumberland. The campaign proved a severe one, but on March 24th, 1853, Howe and his colleague, Mr. Fulton, were again triumphantly returned for the county of Cumberland. On his return he received complimentary addresses and a large escort of the men of Colchester county, and in Halifax he and his colleague

RETURN TO THE ORIGINAL POLICY

were received and conducted to the House by an enormous crowd of people and a torchlight procession.

Now that the election was safely over, some still thought that Howe should go to England and join Messrs. Hincks and Chandler, but this was not his view. He foresaw difficulty and failure. Lord Derby's government was by this time in power, and it distinctly refused to give the imperial guarantee for a line through the St. John valley. Mr. Hincks also had an unfortunate quarrel with Sir John Pakington, but he succeeded in making arrangements for the construction of the Grand Trunk Railway. New Brunswick likewise became involved in contracts with these English railway men, which turned out unfortunately, if not disastrously, and even the terms and conditions upon which the Grand Trunk was constructed were not, viewed by the light of history, altogether satisfactory from a financial point of view.

On August 5th, 1852, Sir Gaspard LeMarchant became governor of Nova Scotia, Sir John Harvey having died the previous spring. Howe now reverted to his original policy of constructing railways for Nova Scotia as a government work, and quite irrespective of the action of any of the other provinces. On August 25th an order-in-council was passed, pledging the administration to proceed with the construction of railways east and west, and authorizing contracts to be entered into, subject

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to the approval of the legislature, for raising the funds and carrying on the works. The publication of this order-in-council brought offers from Messrs. Peto, Brassey & Co., and Sikes, King and Brookfield. It was deemed advisable that the resources of these proposed contractors should be enquired into, and still more necessary that financial arrangements, whereby the money could be secured upon the credit of the province, be made in London before proceeding with any enterprise. To this end, Mr. Howe left for England on October 28th, 1852, and, having completed his arrangements with Messrs. Baring Bros. & Co., for negotiating the provincial bonds to the extent of one million pounds currency (\$4,000,000) he returned in the latter part of December.

During the session of 1853 Howe introduced a measure authorizing the government to construct railways upon the great thoroughfares to the extent of one million pounds. This measure was opposed by Johnston and his supporters in a most determined manner. Canada had entered into a contract with Jackson and his friends to construct their railways, as also had New Brunswick, and it was contended that company railways could be secured with moderate subventions in Nova Scotia at much less cost and by incurring a very much smaller provincial obligation. Howe, against his better judgment, deemed it wise to respect these objections. He withdrew his measure

GOVERNMENT REORGANIZED

and substituted facility bills to give effect to the proposition of the opposition, and announced that he would allow a year to pass and see if favourable contracts could be obtained for the construction of the railways. A year passed by and nothing substantial was accomplished. Consequently, when the House met in 1854, the ground was clear for Howe's original proposition. It was proposed that a line should be built from Halifax to Pictou in the east, and a line to Windsor westerly, to be ultimately continued to Annapolis or Digby. Some prominent men in the legislature who had hitherto been in opposition to the government, including Mr. L. M. Wilkins, announced their conversion to Howe's policy and supported the government. The railway measures were passed and the government was empowered to proceed at once with the construction of the sections east and west, the line being common to both sections as far as Windsor Junction. After these measures had been successfully carried through the House, a complete reorganization of the government took place. Mr. James B. Uniacke, the attorney-general and formal head of the government, being in ill-health and desiring to retire from active public life, accepted the office of commissioner of Crown lands. This left the way clear to Mr. Howe to assume in name as well as in reality, the leadership of the government; but he had other views. The Railway Act had provided that these railways were to be constructed by a board of rail-

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way commissioners, the chairman to be a permanent salaried official with £700 a year, the other members to be merely consultants without salary. Howe chose, for reasons which it is not quite easy to understand, to give up his position in the government and take the subordinate position of chief commissioner of railways. He alleged that his object in leaving the government and taking the post of chief railway commissioner was because of his conviction that railway construction was the most important matter at the time, and demanded his undivided attention. He understood well that many difficulties were to be encountered and many dangers to be faced in the introduction of railways into the province, and he felt the work would be safest in the hands of one who was in thorough sympathy with the undertaking. At Howe's suggestion, Mr. William Young, who had been speaker for a number of years, was called upon to form an administration. He accepted this duty and took the office of attorney-general. Mr. Wilkins became provincial secretary, Mr. Henry solicitor-general, and Mr. Howe ceased to be associated with the executive government of the province. He retained, however, his seat in the legislature, as it was expressly provided in the act that the chairman of the railway board should be eligible to sit in the assembly, and it is needless to remark that although no longer in the executive, he continued to be the leading figure in parliamentary halls.

RAILWAYS AND CONFEDERATION

This sketch embodies the actual conditions of railway construction in Nova Scotia. The railway was pushed forward as rapidly as possible to Truro and to Windsor, and was owned and operated as a government railway. In 1864 provision was made for extending this government road from Truro to Pictou. Consequently, when confederation was formed, while Ontario and Quebec entered the confederation with a large public debt, and without equivalent public works, certainly without any railways to represent this debt, Nova Scotia entered the confederation with its quota of debt, but with railways already profitable to represent it. Indeed, if the railway between Halifax and Pictou on the one side and Halifax and Windsor on the other were operated to-day upon ordinary commercial principles, they would pay fair interest upon the reasonable cost of construction.

CHAPTER VIII

FOREIGN ENLISTMENT AND THE IRISH CATHOLICS

MR. HOWE pursued his duties as chairman of the railway board with assiduity. During the summer of 1854 work was in vigorous operation, and in 1855 a large number of men were employed and construction was going vigorously forward. In 1854 the Crimean war broke out. The results of the early efforts in the war were not favourable to British arms and much humiliation and distress was felt on all sides. It seems inevitable that under the present British army system, the nation must always be unprepared for war on a large scale, and inefficiency in generalship and failure in the commissariat department are always sure to be exposed. The necessity for more men for service in the Crimea became apparent, and in the session of 1854-55 the British government passed an act providing for the foreign enlistment of soldiers for the army. Howe, years before, had pointed out in the clearest possible terms the importance of having colonial regiments formed, trained and made ready for active service, but no heed was paid to his suggestions and warnings by either the colonial or war department of the

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imperial government. In furtherance of the Foreign Enlistment Act, a despatch came from the colonial secretary to the lieutenant-governor of Nova Scotia, Sir Gaspard LeMarchant, asking him to arrange to have a recruiting station opened at Halifax at which men could be enlisted for active service. The government, in response to this, made arrangements accordingly to establish a depot at which officers and men could be enlisted and sent to the Crimea. It may be mentioned at once that the expectation in opening this office in Halifax was that numbers of men would come from the United States and enter the service here. Communications had already been received by the governor and others from friends in the United States intimating that many men were out of employment there, and that a number of British subjects in the United States, as well as Poles, Hungarians, etc., would enter the service with avidity if an opportunity was afforded them.

The governor sent for Howe and consulted him upon the steps which should be taken, of course, in conjunction with his advisers. Howe thought it desirable that some one should go to the United States, examine the ground, and see how far it was practicable to secure recruits for active service, and in this the governor concurred and asked Howe to suggest a suitable person for this mission. He replied that some member of his government would be best suited for this purpose, but the governor,

MISSION IN THE UNITED STATES

and probably his advisers, were strongly of the opinion that Howe would most efficiently discharge such a service. It was not a pleasant duty; it involved difficulties and possibly dangers, but Howe was never a man to shrink from any service which he thought necessary to uphold the honour of his country and the integrity of the empire.

In consequence Howe started in March and visited Boston, New York, Philadelphia and Washington on this mission. At this period Mr. John F. Crampton was British minister at Washington. Between this minister and the governor of Nova Scotia correspondence had taken place, and this had grown out of correspondence with Earl Clarendon, the secretary of state for foreign affairs, who had drawn the attention of the minister to the Foreign Enlistment Act, and sought light as to how far it was probable that recruits could be obtained in the United States. Mr. Crampton proceeded judiciously at first, but came to grief, as it happened, before the matter was over. There were upon the statute book of the United States stringent acts against foreign enlistment in that country. The British minister consulted an eminent lawyer, in whom he had confidence, as to what could be done legally, and what could not be done under this act, and it seemed to be the judgment that no contract for enlistment could be made with any person within the United States, nor could there be personal solicitation of any citizens of the United States to

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enter into a foreign service. Mr. Crampton no doubt proposed to act strictly within his legal rights and not to exceed them, but this proved to be a somewhat difficult matter, not only in the abstract, but because of the prevalent sympathy of the American government and people during the war. It is useless to enquire why, but the fact remains, that during the Crimean war of 1854-55 an immense majority of the people of the United States sympathized with Russia. At the beginning a policy of strict neutrality was announced by the United States government, and it can be easily inferred that any steps taken in any direction tending to give aid or assistance to the British authorities at this juncture would excite the most acute feeling throughout the United States.

It was the judgment of the British minister, as well as of the governor of Nova Scotia that, while it was illegal to enlist soldiers in the United States, it was not infringing any statute to circulate posters in that country setting forth the fact that a recruiting station had been opened at Halifax and that any men who desired to enlist and might come for that purpose, on arriving there, would not only receive pay according to the army regulations, but would be paid the full amount of their travelling expenses from their residence to Halifax. A proclamation to that effect was issued by the provincial government of Nova Scotia, under the hand of the lieutenant-governor, and signed by Mr. L. M. Wilkins as pro-

DIFFICULTIES OF THE MISSION

vincial secretary. An address, written by Howe, embodying this proclamation and pointing out the opportunity that it afforded, was issued and widely circulated in the United States, chiefly through the agency of Howe, who was acting with those upon whose friendly confidence he thought he could rely, especially the British consuls at New York, Boston, etc.

At an early stage of Howe's mission in the United States he began to meet with difficulties. It was his misfortune to be approached by men who made great professions of devotion to the empire, and of their ability to obtain recruits, provided that some means were placed at their disposal, and Howe, in as judicious a manner as possible, placed in the hands of one of these officious men the sum of \$300. Howe's secretary also held communication with several persons, perhaps, in some instances with a little more zeal than discretion. In consequence, the fact that steps were being taken to secure recruits for the British army in the United States became gradually a matter of notoriety. It not only got into the newspapers but the authorities took cognizance of it, and warrants were issued for the arrest of sundry persons, including Howe and his secretary. The latter was arrested and tried before Judge Kane, and acquitted. No bill was found against Howe. Hertz, who had obtained the money from Howe and some other money from his friends on the strength of the

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business he had undertaken, turned out to be a renegade, and after being tried for violating the laws of the United States, he made a confession implicating various persons, including the British consuls and the British minister himself.

At a somewhat critical period of Howe's efforts, the finishing stroke in the way of opposition came from Halifax. A man named William Condon, who held office as a gauger in the customs department, was president of the Charitable Irish Society. It is, perhaps, fitting to state here that during the progress of the war in the Crimea there were unmistakable tokens in Halifax of sympathy with the Russians on the part of a considerable portion of the Irish Catholic population. Indeed, it is asserted upon fairly good authority that meetings were held in which Great Britain and her actions in respect to the war were denounced, and that a league was formed to give effect to these hostile views. Condon was suspected of having more or less sympathy and coöperation with this movement. Howe had some success in obtaining recruits, and a number of men came to Halifax for this purpose, among others a body of Irish Catholics. Whether these men were influenced after their arrival in Halifax or not, the fact remains that it was alleged on their behalf that they had been induced to come to Nova Scotia upon the pledge of work upon the railway. As no work was provided for them, they were in a condition of destitution, and Condon

CONDON'S ANNOUNCEMENT

sent to an Irish newspaper published in New York, where Howe then was, a telegram couched in the following terms: "Sixty Irishmen entrapped in Boston as railway labourers sent here for the foreign legions. Publish and circulate this.—Wm. Condon, Pres. C.I.S." The effect of the publication of this was to compel Howe to leave immediately, which he did, and returned to Halifax after two anxious months in the United States, where his efforts had secured about nine hundred men in spite of all the difficulties encountered. It can be easily imagined that he was not in a very pleasant humour towards the Irish population on his return to the province.

In 1855 the term of the legislature expired, and it became necessary to have a general election. Howe had not returned from his mission in the United States when the campaign opened throughout the province. It was not believed that his seat in Cumberland was in any danger, and therefore he did not hasten his return with any sense that his presence was necessary in Cumberland county. But it happened that in this election the candidate against him was a certain local doctor named Charles Tupper, who thus for the first time appears upon the political scene in Nova Scotia, in which he afterwards played such a conspicuous part, and for many years later a still more commanding part in the larger arena of federal affairs. Local tradition thus records the circumstances under which Mr. Howe and Dr. Tupper first met in the political

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arena. It has been already mentioned that Howe was called upon to contest a bye-election in Cumberland in 1852, and it is related that in one of his public gatherings in that county, after he had finished his address, Dr. Tupper, short of stature and then of slender form, came forward and demanded the right to reply. This was received with laughter and jeers by Howe's friends. Mr. Howe was, as always, disposed to be generous, so he arose and said: "Let us hear the little doctor by all means. I would not be any more affected by anything he might say than by the mewling of yonder kitten," pointing to a cat which was perched upon a fence near by. Having thus secured the right to speak, Dr. Tupper came forward and plunged at once into a vigorous onslaught in the same trenchant style which characterized him until the latest period of his political career. A gentleman present at the meeting, who was then in political sympathy with Howe, was so far affected by Tupper's vigorous criticisms that he made the remark that "it was possible that Howe would find this little doctor a cat that would scratch his eyes out." The prediction was soon enough fulfilled. At the general election of 1855, Dr. Tupper received the Conservative nomination as a candidate for the county of Cumberland, and conducted his campaign with such force that when the votes were counted it was found that Tupper and his Conservative colleagues were elected, and Howe and his col-

HOWE'S FIRST DEFEAT

leagues had been defeated. This was Howe's first defeat in a political election. Mr. Young's government had been handsomely sustained and had a large majority in the new House, and Mr. Howe would retain his office as chairman of the railway board. His defeat, therefore, did not affect in any way his pecuniary prospects, but it was an unexpected and unpleasant incident. He accepted his failure, however, good-naturedly, and attributed it to the fact that he was too late in getting into the county owing to his absence abroad.

During the session of 1856 Howe was not in his accustomed place in the House of Assembly of Nova Scotia, and it is needless to say that his absence created a great gap. No figure, indeed, could be more missed by the occupants of the galleries. For twenty years he had been the most conspicuous figure in the legislative halls, bringing every variety of genius to bear upon the stirring questions discussed, and it did seem a strange incident to find public discussions going forward in the assembly with no "Joe" Howe to enliven them. In 1856, after the session, Mr. L. M. Wilkins was appointed a judge of the supreme court. His place as provincial secretary was taken by Mr. W. A. Henry, at that time solicitor-general, and Mr. A. G. Archibald became solicitor-general and a member of the executive. Mr. Wilkins's seat in Hants county thereby became vacant, and Howe was presented with a requisition signed by leading men of both

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political parties asking him to become the representative of that county in the House of Assembly. He accepted, and was returned by acclamation. Once again, therefore, Mr. Howe was in his place as a member of the assembly.

But striking events were to occur before he took his seat in the session of 1857. During the summer of 1856 riots had occurred on the railway. It appears that a body of Irish Catholics had made a savage attack upon the shanty of one Gourley, situated on the line of railway under construction. It is not necessary to enter into details of the outrage, but unquestionably it was a savage and brutal attack, and a reign of terror was inaugurated. The reason alleged for this attack upon Gourley's shanty was that the owner had made some observations reflecting upon certain tenets and practices of the Roman Catholic Church. The outbreak was not entirely confined to the attack upon Gourley's shanty, but other riots and terrorizing acts were alleged to have been perpetrated by the Irish Catholics employed on the work, and they had given out threats that no Protestant should be allowed employment. Howe, as chairman of the railway board, had proceeded to make personal investigations and take proceedings to bring the rioters to justice, and to secure peace and order along the line, and in pursuit of this he had encountered much that was irritating and calculated to excite deep indignation.

It happened that on the afternoon of his return

DISMISSAL OF THE BRITISH MINISTER

from this tour a public meeting was held in Halifax for the purpose of considering the presentation of an address to Mr. John F. Crampton, the British minister at Washington, who had been summarily dismissed from that post by the president of the United States, solely and entirely on account of his connection with the foreign enlistment business with which Mr. Howe had been actively associated.¹ The people of Nova Scotia at large were in

¹ Early in 1856 a long discussion took place in the British House of Commons on the conduct of Mr. Crampton in respect of foreign enlistment, in the course of which Mr. Gladstone made a speech attacking Crampton, and incidentally reflecting on Mr. Howe. The latter at once addressed an open letter to Mr. Gladstone, in which he resented his imputations and ably defended himself. Only an extract or two can be quoted:—"Presuming on the advantage which fine talents and elevated station confer, you ventured to take unwarrantable liberties with a stranger's name and reputation; to speak in his absence of a British American gentleman, whose only offence was obedience to his sovereign and zeal for the honour of his country, in terms of sarcasm and reproach, which, I shall presently show, were undeserved from any Englishman, and least of all from the honourable member for Oxford. . . . The responsibility for what I did, whatever it was, has been assumed by the Queen's government and ministers, and after full discussion of the subject in all its bearings, has been sustained by parliament. By what rule is it, therefore, that Mr. Gladstone, a single member of the cabinet under whose authority and instructions I was employed, ventures to arraign my conduct, or shake himself clear of the responsibility of my proceedings? If 'this Howe' has done wrong, 'that Gladstone,' no less than Mr. Sydney Herbert, his friend and colleague, whose despatch was my sole warrant and authority, must share the blame."

Mr. Gladstone, after reading Mr. Howe's letter, sent him a note, in which he very generously withdrew his reflections, and made the *amende honorable*. Mr. Howe never received any remuneration from the Imperial government for his disagreeable and dangerous services in connection with Foreign Enlistment.

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sympathy with Mr. Crampton and believed that he had been unfairly and harshly dealt with by the American authorities. Knowing that Mr. Crampton was to pass through Halifax on his way to England, a public meeting of the citizens had been called to consider the propriety of presenting an address to him. No political hue was given to this meeting. Leading men of both political parties attended and expressed their opinion freely that Mr. Crampton had been made a victim of American sympathy with Russia. The war by this time was over and peace had been established. The meeting proceeded in its usual way. A resolution was moved by Mr. Henry Pryor that a complimentary address be presented to Mr. Crampton expressing the cordial sympathy of Nova Scotians. This was seconded by Mr. Peter Lynch, Q.C.

At this point a note of opposition was heard, and it came from a representative of the Irish Catholics present at the meeting. Howe had taken no active part in the meeting up to this point, but when he observed this fresh outbreak of anti-British feeling among the Irish population, he felt that the time had arrived when some one should take the responsibility of speaking out in plain and unmistakable terms. This action on Howe's part was not that of a judicious politician, or a successful opportunist; indeed a thorough politician would have done nothing of the kind, but in Howe's action on that day and for the months that succeeded it, one

BREACH WITH THE IRISH CATHOLICS

may read clearly the type and character of his manhood. He was fresh from the scene of Irish Catholic rioting and terrorism on the railway. He still remembered the outbursts of hostility to Great Britain by a portion of the Irish population in Halifax, and he had not ceased to smart under what he conceived to be the disloyal and hostile treatment he had received from the hands of Mr. Condon while endeavouring to advance the interests of the empire in a foreign country. His just indignation was thoroughly aroused, and with the courage always characteristic of his every movement, he threw discretion to the winds and arose in this meeting and delivered a speech in which in clean cut terms he denounced the insidious disloyalty of a portion of the Irish population and gave it to be distinctly understood that, at whatever cost or sacrifice, he intended that the loyal British people of this province should join issue squarely with those who were the undisguised enemies of the empire. He went further and stated that the Protestant sentiment of this country should be tested as to whether a band of Irish ruffians should undertake to terrorize Protestant citizens in the discharge of their duties on the public works of this country.

This action on the part of Mr. Howe, as will be easily understood, created a deep and bitter feeling in the community. Two-fifths of the population of the city of Halifax were Roman Catholics, and an overwhelming portion of the Catholic population

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was Irish, and to add to the piquancy of the incident it must be borne in mind that a substantial majority of this Irish Catholic population had been devoted to Howe in his great agitation for popular government, and had supported him with zeal and ardour in all his election contests in the city and county of Halifax. The immediate effect of Howe's speech was a violent outburst of feeling on the part of the Irish Catholic population, voiced through their organ, *The Catholic*. An opportunity of retreat was, perhaps, presented to him. He had made his speech from sudden impulse, and therefore reflection might have suggested to him the propriety of withdrawing many of his vigorous and offensive words and securing peace. But no such course was characteristic of the man. His speech was succeeded by letter after letter in the *Morning Chronicle*, in which in terms still more vigorous he declared that he would never cease until it became distinctly and thoroughly understood in Nova Scotia who was to rule, the loyal English population or a band of disloyal Irish Catholics, who undertook to mob people for the expression of their religious convictions.

What course would have been adopted by the Conservative party at this moment if Johnston only had had control of the political movements of his party must be a matter of conjecture. Undoubtedly many leading Conservatives in Halifax were in secret sympathy with Howe in his crusade, and Johnston himself was scarcely the type of man that

TUPPER SEIZES HIS OPPORTUNITY

would have cared to have attained power by a league between his party and the Irish Catholic population. But although in the legislature only one session, Charles Tupper had become the leading and dominant spirit of the opposition. Upon the instant that this quarrel between Howe and the Irish Catholic population had arisen, Tupper saw the chance of utilizing the incident for defeating the government and coming into power. He accordingly took prompt advantage of the occasion persistently and relentlessly to encourage the controversy and help to widen the breach. As the professed champion of civil and religious liberty, he became the vindicator of the rights of the Irish Catholic population. The session of 1857 was approaching, and the public began to speculate with profound interest as to what would be the outcome of this quarrel in respect to the government of the day.

As Howe was not then a member of the government, and as William Young, the premier, had said and done nothing in respect to the Irish Catholic population, and no member of his government was in the slightest degree directly concerned in Howe's quarrel, it may be reasonably asked why this *émeute* should in any way affect the fortunes of the government. The answer is very simple. Howe at that moment occupied such a commanding place in the public eye and was regarded as such a supreme factor in the counsels of his party that it was impossible to dis-associate his

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political party from any public action of his. Howe held office under the government as chief commissioner of railways. The *Morning Chronicle*, which was his organ in this controversy, as well as the leading organ of the Liberal party in the province, was owned and controlled by Mr. William Annand, a member of the legislature and holding the office of queen's printer under the government. Dr. Tupper was very particular to have the question constantly protruded: "If you are not in sympathy with Mr. Howe and Mr. Annand in their crusade against our Roman Catholic citizens, why do you retain them in office?" Prior to the meeting of the legislature, Mr. William Condon, who has been mentioned as a foremost factor in these political religious disturbances, had been dismissed from his office as gauger in the customs department, and every one felt that it was almost impossible for the government to have pursued any other course, considering the fact that he was day after day writing offensively in respect to Mr. Howe, and on lines calculated to damage the political party with which Howe was associated.

When the House met the crisis came. Some time previously Mr. Michael Tobin had resigned his seat in the government. He was an Irish Catholic, and related by marriage to Mr. William Young. Just as the House was meeting another Catholic member of the government resigned, as did also Mr. W. A. Henry, who, although not a

HOSTILE DEMONSTRATIONS

Catholic himself, represented the county of Sydney (now Antigonish), the population of which was seven-eighths Roman Catholic. An amendment to the address was moved by Mr. Johnston in terms which made it practically a vote of want of confidence, and this was carried on a division of twenty-eight to twenty-two, every Catholic supporter of the government but one voting with Mr. Johnston. In the debates which were continued for a number of days in the House of Assembly, Howe became the central figure of the discussion, and never in his whole political career did he exhibit greater heroism and greater disregard for consequences than in this struggle. Usually it had been his fortune to have an enthusiastic crowd of friends in the gallery, who applauded all his efforts in the direction of popular government. During this debate the preponderating element in the galleries was drawn from the Irish Catholic population, and when Howe arose to speak every effort was made to disconcert him by hostile demonstrations, and the speaker and other members of the House were compelled to threaten constantly to clear the galleries. But Howe maintained his position with rare good nature, and uttered his views with a boldness altogether foreign to a man in political life. His own position was at stake, as well as that of the members of the government. He was then, as at all times, poor and without means of support for his family outside of his employment as a public man, but he

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declared in the plainest terms that if the government were defeated on the issue then before the House he would not hold office another hour. An extract from one of his speeches in this session will serve to indicate the Spartan manner in which he faced the situation:—

“ Let me say, sir, in the face of this legislature—in the presence of those who have known me both in public and private life for upwards of thirty years, that no inducement, however strong, no lure, however tempting, could provoke me to persecute any man or body of men on account of religion—and although, for purposes which it is not difficult to understand, some parties are attempting to propagate this trash now—the time will come when the principles which have guided my public career for thirty years, will be recognized and discerned by my actions to-day. I claim equal justice for myself, I claim equal justice for every Catholic in the country. Turn to your journals—to your reports—to the pages of the public prints, and you will everywhere see my footprints. It may be that the pressure brought to bear on some of my friends may induce them to desert their ancient standard, believing that something is to be gained or achieved by going into opposition. A word or two to these gentlemen, and but a word—I do not come here to explain or apologize. What is writ is writ and what is said is said.

“ Throughout a long political life—throughout a

HOWE IN OPPOSITION

long parliamentary career, I have been true to the friends with whom I started—to the principles which I entertained. The time may come, I say, when some of these friends may desert me and their party—some may do it willingly, but others will do it most reluctantly. When the new administration is formed, Mr. Howe's office will be at its disposal. He will take his seat on these benches an independent member—will say that which he believes to be true, and do that which he believes to be right. And, sir, all the combinations which can be formed will never coerce or intimidate me, confident that the heart and soul of Nova Scotia is with me in this struggle.”

Mr. Johnston, it is but fair to mention, in opening the attack upon the government, scarcely referred to the racial and religious phase of the discussion. He based his demand for the downfall of the government upon its incapacity and total failure to conduct the public affairs with efficiency. It comported best with his policy that he should get all the Irish Catholic votes on an issue other than that of race and religion. It was entirely needless that he should plunge into a discussion of the racial question when assured that the votes would come to him precisely as well on the public issues as on the real issue.

Johnston succeeded in forming his government, he becoming leader and attorney-general with Tupper as provincial secretary. Howe's next business, therefore, was to secure the downfall of this administration,

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and for the next two years he devoted himself without respite to the task of inflaming the people and keeping the issue which he had raised well to the front. The general elections came on in 1859. Howe contested Hants county, and was triumphantly returned, as also a small majority of Liberals, enough to secure a majority of four or five on division. By this time the Catholic question had subsided to a considerable extent, and one of the principal matters to be determined at this election, as there were no grave issues of public policy at stake, was—which of two veteran lawyers was to receive the appointment of chief justice of Nova Scotia. Sir Brenton Halliburton, who had been chief justice for many years, was long past eighty, and infirm, and it was quite well known that he could not continue on the bench very much longer. If the government were sustained, the office would go to J. W. Johnston, who thoroughly deserved it for his long and brilliant record in the political field as well as his splendid career in the forensic field. If, however, the government were defeated, this great prize would fall to William Young.

Although it was manifest that a majority of opposition members had been returned, Johnston did not resign, but continued in office and met the House. During the session of 1860, Dr. Tupper made a brave and splendid fight for existence. It proved, hopeless, however, and a vote of want of confidence was passed, and Johnston retired. Mr. Young was

PREMIER OF THE PROVINCE

called upon to form an administration. For some reason, probably an indisposition to seek re-election in Cumberland, he took no department, but simply the position of president of the council. Howe was provincial secretary, Mr. A. G. Archibald attorney-general, and Mr. Annand financial secretary. In a few months Young accepted the office of chief justice, at last vacant, and Howe became for the first time premier of the province.

Howe and his government continued in office until the general election of 1863, but little pertains to this administration which is of historical importance to Nova Scotia, or adds anything to Howe's reputation. As a matter of fact, Howe had long since outgrown his provincial ambitions, and yearned for wider horizons and a larger sphere of action. Devoted as he was to the empire, and conscious of having rendered great service, he cherished the dream that he would sooner or later receive tokens of appreciation in the way of imperial employment. The greatest of men have their weaknesses, and Howe, with all his intellectual power, was not devoid of personal vanity nor free from the corroding influence of a towering ambition. In 1854, when only fifty years of age, he talked about bidding farewell to political life, and it was probably with greatly diminished enthusiasm that he battled for two years in opposition for the purpose of restoring his party to power, and it was also probably with scant joy that he resumed his place

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in the provincial administration. In 1860 his colleagues appear to have become aware of Howe's great yearning for an imperial post. Before Mr. Young retired to the bench, a minute of council was passed, setting forth Mr. Howe's strong claims to imperial recognition, which was, no doubt, forwarded through the lieutenant-governor to the colonial secretary.¹

No imperial position, however, immediately came. The history of imperial policy in relation to the colonies indicates what would seem to an ordinary person a short-sighted policy in respect of making use of the talents of distinguished men in the outlying portions of the empire. Knighthoods are bestowed freely, sometimes a baronetcy, but positions in the imperial service rarely. Patronage probably plays as large a part in the imperial as in colonial governments, and ministers have their hands full in providing posts and employment for friends of the party within the kingdom.

Early in 1863 an opening came. Mr Perley of St. John, who had been appointed fishery commissioner on behalf of Great Britain for carrying out the provisions of the Reciprocity Treaty of 1854, died while in Newfoundland on fishery business, and Howe was selected as his successor. The appointment was made early in the year with the understanding that the active duties should not be taken up by Howe until somewhat later in the

¹See appendix F

THE RETRENCHMENT SCHEME

season. This was necessary inasmuch as Howe was still leader of the government and a general election was at hand, and the fortunes of the party seemed anything but bright at that moment. As has already been remarked, a great genius is not always a successful party leader, and Howe encountered many difficulties in the three years during which he had control of provincial affairs in Nova Scotia. The government majority was extremely narrow. His lieutenants in the House did not at that stage render very effective support in public debate. Johnston was, of course, the leader of the opposition, but the moving, animating and inspiring figure was Dr. Tupper, who gave no rest day or night to a government manifestly sinking in popular favour. During the session previous to the election of 1863, Dr. Tupper brought forward a famous "Retrenchment Scheme," whereby he proposed, in order to have more money at the disposal of the government for public services, to cut down the salary of nearly every official in the government employ, thereby saving sixty or seventy thousand dollars a year. It was a mere political device, but it served its purpose with the electorate. The elections took place in May, 1863, and out of a House of fifty-five, only thirteen Liberals were elected. Howe himself was among the slain. The situation appearing quite satisfactory in the county of Hants, Howe was induced to become a candidate in the county of Lunenburg. Tupper,

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who had the good fortune to be elected by acclamation in the county of Cumberland, started straight for Lunenburg and pursued Howe steadily for a week, with the result that Howe and his colleagues were defeated by large majorities. A new government was formed, Johnston becoming leader with the department of attorney-general, and Tupper resuming his old department of provincial secretary. During the first session of the new legislature, 1864, an act was passed creating a judge in equity for the express purpose of retiring Mr. Johnston, thus clearing the way for Tupper, who assumed the leadership. Events of the most far-reaching character followed the formation of this administration, but these must be dealt with in another chapter.

CHAPTER IX

HOWE AND CONFEDERATION

WHEN Dr. Tupper was in England in 1866 endeavouring, in common with other Canadian statesmen, to secure the passage of the British North America Act, and Howe, representing the anti-confederate party of Nova Scotia, was seeking to prevent its passage, the former wrote and published a pamphlet, filled with quotations from Howe's former speeches and utterances favourable to a union of the British North American colonies. Indeed, so strong were the passages quoted and so effectively were they marshalled by Tupper, that the impression has prevailed everywhere that the confederation of British North America had been Howe's cherished dream. This is not strictly true. That a man with Howe's breadth of view should fail to recognize the possibility and importance of the organization of all British North America into a consolidated dominion, possessing the germs of nationality, is opposed to any conception of his character. Every question which pertained to the development of British America had received his profound consideration, and upon all questions of this character he had made striking and brilliant utterances in his speeches and writings. Neverthe-

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less, it cannot be fairly said that Howe had made himself a conspicuous champion of confederation. If we are to give effect to his utterances in respect to the destinies of British North America, it will be plainly seen that his favourite scheme, from early days, had been a consolidation of the empire, a solution of the problem of the North American colonies by an organized empire in which all the colonies would be represented, and all accept common responsibilities and duties in respect to maintaining imperial integrity. Of that proposition Howe may be said to have been the most conspicuous author, and on the question of imperial federation, no note has been uttered within the last decade by any statesman, imperial or colonial, more advanced or matured than Howe's utterances in the fifties. He had in general terms repeatedly and eloquently advocated a union of the British North American colonies, and none were able to perceive with greater breadth of view the importance of such a union and its necessity if a consolidated English-speaking nation was to be developed in North America. In some of his speeches the difficulties in the way of this union are frankly pointed out, and the objections on the part of the Maritime Provinces to linking their destinies completely with Canada had been frankly avowed. When Johnston in 1854 moved a resolution and made an eloquent speech in favour of a union of the British North American provinces, Howe had spoken

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in anything but enthusiastic terms in support of Johnston's resolution. On the contrary he pitted against this proposition a wider and more dazzling prospect of imperial union. It is just to affirm that, while Howe recognized the value and importance of Canadian confederation, he always cherished a lurking fear that the Maritime Provinces would be completely overshadowed and absorbed by the Upper Provinces in such a union.

Johnston retired to the bench in 1864, and Tupper became actually, as from the beginning he had been virtually, premier. Tupper was a man of great ability and restless ambition. He naturally sought, the moment he found himself safely in the saddle, to inaugurate some movement which would extend beyond the narrow bounds of the province. He consequently introduced a scheme of Maritime union in the session of 1864, and sought the co-operation of the governments of New Brunswick and Prince Edward Island in furtherance of this project. Both these governments responded favourably to his application, and it was arranged that a convention should assemble early in September at Charlottetown. Nova Scotia was to send five delegates, and, naturally, it was altogether desirable that both of the great political parties should be represented. At this moment Howe was not in the legislature, and was performing the duties of British commissioner under the provisions of the Reciprocity Treaty. The political party with which he was

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associated was a mere remnant in the legislature, Mr. A. G. Archibald leading the forlorn hope of an opposition.

At the time this convention at Charlottetown was to be held, no thought of the larger union was present as a definite proposition in the minds of any of the provincial governments. Though Howe was not in public life, few would question that he, above all others, should be asked to join in such a large measure as the union of the Maritime Provinces. Sir Charles Tupper has always asserted that he invited Mr. Howe to become a delegate from Nova Scotia to this convention. But the absence of any official communication to that effect in the provincial secretary's office occasioned doubt in many minds as to the accuracy of this. The matter, however, has been placed beyond doubt, for the original correspondence is in the possession of Mr. Sydenham Howe, Joseph Howe's only surviving son, and is as follows:—

“Halifax, August 16th, 1864. My Dear Sir:—I have the pleasure of informing you that your name has been this morning submitted by the executive council to His Excellency the lieutenant-governor as one of the delegates to the conference upon the union of the Maritime Provinces, and I am instructed by His Excellency to enquire if you will accept that office and attend the meeting of delegates at Charlottetown on September 1st. I remain, Yours faithfully, (Sgd.) C. TUPPER.”

CONFEDERATION CONFERENCE

“H. M. S. *Lily*, August 16th, 1864. My Dear Sir:—I am sorry for many reasons to be compelled to decline participation in the conference at Charlottetown. The season is so far advanced that I find my summer's work would be so seriously deranged by the visit to Prince Edward Island that without permission from the foreign office, I would scarcely be justified in consulting my own feelings at the expense of the public service. I shall be home in October, and will be very happy to coöperate in carrying out any measure upon which the conference shall agree. Very truly yours, (Sgd.) JOSEPH HOWE.”

A seat on the delegation was offered, of course, to Mr. Archibald, the leader of the opposition, and the other seat, it appears from the official records, was offered to Mr. John Locke, M.P.P. for Shelburne county, a leading representative of the Liberal party in the House. Mr. Locke declined to serve, and Mr. Archibald was asked by Sir Charles Tupper to name the gentleman he would prefer to be associated with him on the delegation, and he named Mr. Jonathan McCully, who was the leader at that time of the Liberal party in the legislative council. Dr. Tupper, Mr. W. A. Henry and Mr. R. B. Dickie were the delegates chosen from the government side of the House.

It is not necessary to dwell in detail upon the incidents attending confederation. The Maritime delegates met at Charlottetown. Difficulties im-

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mediately presented themselves in the way of a Maritime union, which bade fair to be insuperable, and while these were being grappled with, Sir John Macdonald and his associates from Canada appeared suddenly upon the scene and proposed a union of all the provinces, and induced the delegates of the three provinces to meet Canadian delegates at a conference at Quebec to consider a wider scheme of confederation, which should embrace all British North America. Representatives of all the provinces, including Newfoundland, agreed to this, and the famous Quebec conference was held, at which a scheme of confederation, quite ample in its details, and not widely differing in principle from the scheme ultimately adopted in 1867, was framed. It is, indeed, an unfortunate incident that in the consideration of such a great question as engaged the attention of the statesmen of Canada at Quebec, a man of the genius, experience and national reputation of Joseph Howe should have been absent. Sir Charles Tupper declares that, having invited him to take part in the Charlottetown convention, and he having declined, and Messrs. Archibald and McCully having accepted and taken part in the deliberations at Charlottetown, and having been present when the invitation was extended by the Canadian delegates to go to Quebec, it was impossible for him to ask either of these gentlemen to retire in order that Howe might have a place. It may also be added that Mr. Sydenham Howe declares very

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distinctly that, even if his father had been invited to attend the Quebec conference, he would have been unable to serve owing to the fact that at that particular season he was actively engaged in his official duties and was cruising in H. M. S. *Lily* round the coast. At all events, a measure of confederation was drawn up in Quebec in October, 1864, and assented to by the representatives of all the provinces, and Joseph Howe had no part in the matter.

How this scheme was presently submitted to the public; how it was adopted, after serious discussion, by the Canadian parliament in 1865; how it was rejected by New Brunswick very soon after its publication and Mr. Tilley swept from office, and an anti-confederate government, under Mr. Albert J. Smith, installed in power, which necessarily postponed the whole question; how it was rejected by Prince Edward Island, and how all the ingenuity and skill of Dr. Tupper was essential to prevent a resolution hostile to it being passed in the Nova Scotia legislature in 1865; and how ultimately New Brunswick reversed its judgment and adopted the scheme in 1866; and how the legislature of Nova Scotia, on the suggestion of Mr. William Miller, who had been one of the pronounced opponents of confederation, adopted a resolution, by a majority of thirty-one to nineteen, authorizing the delegates to frame a scheme in London, are incidents well known and not necessary at this stage to be elaborated. It is enough to say that very early after the publication

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of this scheme, it became manifest that the people of Nova Scotia were unfavourably disposed to the union. The leaders of the opposition were the merchants of Halifax, who saw that under Confederation they would lose their monopoly of the local market. Public meetings were called in Halifax, at which eloquent and aggressive speeches were made against the scheme. These meetings were extended throughout the province, and unusual political excitement was generated. Party lines for the first time in Nova Scotia began to be obliterated. The most determined opponents to confederation were lifelong supporters of Mr. Johnston, and up to that moment, had been followers of Dr. Tupper. Messrs. A. G. Jones, W. B. Vail and Martin I. Wilkins may be cited as conspicuous examples of Conservative opposition to the union. On the other hand, Messrs. Archibald and McCully, the actual leaders of the Liberal party in the legislature, were supporting confederation. While this excitement was developing, every person in Nova Scotia was profoundly anxious to know what course Mr. Howe would take in this matter, because every one recognized that he was still the greatest man and the most potent factor in the public life of the country.

Notice had been given by the American government of the termination of the Reciprocity Treaty, and Howe recognized, of course, that with its termination his position as an imperial officer ceased.

HOWE'S DILEMMA

This meant cessation of employment, which was not an altogether unimportant consideration to a man who had not accumulated a dollar.

Howe had ample time to weigh the situation carefully and to determine his action after balancing every consideration. On the one hand was the fact that he had often expressed himself concerning the union of British North America as one of the great and imperative questions of the future, and that now a more definite prospect loomed up of securing this great object than had ever previously existed. On the other hand the situation presented a great and terrible temptation, almost beyond the power of mortal man to resist. Howe saw a recent and not much beloved rival at the head of affairs in Nova Scotia, suddenly become a conspicuous figure in the moulding of a great measure of national and far-reaching import. His own political party had been annihilated in 1863. There were manifest tokens of popular hostility to confederation in Nova Scotia. What if these prejudices could be utilized for the destruction of Tupper and his high-flown scheme with which his name had become so conspicuously associated? When this had been accomplished, Mr. Howe might reflect it would be easy for himself to reopen the matter and secure a measure of confederation which would more amply satisfy the interests of the Maritime Provinces. The temptation thus presented to a man of Howe's active temperament, who was soon to be without employ-

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ment, has induced many persons to believe that he was influenced by personal considerations in the action which he finally took in reference to confederation. That these considerations may have had some influence upon his judgment, it is indeed, impossible to deny, but a close examination into his every act and motive at the time entirely rebuts the supposition that personal considerations were in any way paramount in influencing his action. As for the matter of livelihood, Mr. Howe, foreseeing the termination of his imperial office, had made ample provision for securing a liberal competence. His literary abilities had so far impressed the proprietor of the New York *Albion* as to induce him to offer Howe a handsome salary to undertake the editorial management of that paper, and a written contract had been entered into, the terms of which were everything that Howe could desire.

The following is the contract actually signed between Mr. Howe and Mr. Morrell:—

“New York, March 22nd, 1866. Memo. of Agreement:—Referring to the correspondence hereunto annexed, it is agreed:—That Joseph Howe shall as early as possible after the 31st inst., assume the editorial management of the New York *Albion*, and that William H. Morrell shall pay him quarterly at the rate of three thousand five hundred dollars per annum. It being understood that should anything occur to make it Mr. Howe’s interest to withdraw from the engagement, he shall forfeit one quarter’s

MORRELL'S PROPOSAL

salary to Mr. Morrell and shall give him at least one month's notice. JOSEPH HOWE, W. H. MORRELL."

Writing to his wife at this time, from New York, Howe gives some interesting particulars which indicate pretty clearly the trend of his mind at this moment. No reference is made whatever to confederation, nor any hint given of re-entering politics:—"When I left home, as you know, though my prospects of further official employment were good, still there was just enough of doubt and uncertainty about it to make us both anxious as to the future. Assuming the desire and the intention of my friends over sea to be all that we could wish, still there might be delay, and a year or two wasted in waiting, without income, would embarrass and vex us a good deal. But Providence seems to provide for us often in modes very unexpected and often just at the right time. I had hardly arrived here Saturday morning when an application was made to me by Mr. William Morrell, who has purchased the New York *Albion*, to write for, or what he would much prefer, to edit the paper after March 31st next, when the transfer takes place. The offer was made in the most flattering terms, it being assumed that the views and policy of the speech at Detroit would guide my pen in the conduct of the paper. We dined together and discussed the whole subject with the utmost frankness nearly all day. . . After a good deal of friendly chat, I explained my

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position and expectations and gave him to understand that if official employment offered I could only consent to write for the paper, living where I liked and receiving a certain annual sum. This I thought I could do while I remained on the continent. If free of other engagements I might be induced to edit the paper if he could make it worth my while. He finally said he would make me offers, either of which I could accept any time within two months, but he would prefer that I should assume control of the paper. He would give me \$1,500 for editorial or other contributions, leaving me free to attend to other business and live where I liked, or he would give me \$3,500 to edit the *Albion*. If the paper prospered, as he thought it would, he would add \$500 to either offer I accepted, at the close of the year. All this was very handsome and fair, and astonished me very much, as it will you. Here, at all events, are bread and cheese, a living for my family, and an honourable and influential position independent of local politics or of friends over the sea. If nothing better turns up we are thus provided for and have two months to look round us, if anything better is on the cards. If they give me anything I can make my \$1,500 by light labour and get my salary besides. If they give me nothing we can live here in our usual quiet way, and put by \$1,000 every year to pay our debts, leaving our assets in Nova Scotia undiminished. For this new and unexpected mercy I fervently thank God. It

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makes me feel more independent of all chances and casualties than I have done for many a day."

Howe was undoubtedly at this time not especially disposed to resume public life in Nova Scotia. Always desirous of imperial appointment, and realizing by this time how little trust could be reposed by a colonial statesman upon British magnanimity in this regard, Howe would unquestionably seek in preference a position in the literary world. As has been said, he had distinct tastes in the direction of literature and wielded a most facile and graceful pen. A situation, therefore, on a leading paper of literary scope in the city of New York would be congenial employment, and would give him at the same time an opportunity of collecting his various manuscripts and of producing something in literature which would be worthy of his genius. Those most closely associated with Howe at this critical period of his life declare that he was extremely reluctant to take any step which would lead to his re-entry into the political field, but he was unquestionably honestly and frankly opposed to the Quebec scheme. It must be mentioned in this connection that from various points of view the Quebec scheme was not altogether just to Nova Scotia, financially or otherwise, and this of itself constituted a large factor in justification of a policy of hostility. That Howe, in finally resolving to throw the weight of his power against confederation, intended thereby to destroy forever the principle

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of confederation cannot for a single moment be believed. That he thought himself fully justified in destroying Tupper's scheme of confederation on the ground that it was unjust to Nova Scotia and should not be adopted until the people of Nova Scotia had pronounced judgment upon it is the fact, and whatever consequences to Howe's name and reputation in history are involved by that fact must be accepted and endured.¹ At the first great public meeting held in Halifax to denounce the scheme, Howe sat upon the platform but said nothing. Mr. McCully had been editor of Annand's *Morning Chronicle* for several years, and had come back from Quebec a firm advocate of confederation, and wrote his editorials accordingly. Suddenly, like a thunder-bolt from a clear sky, appeared the first of a series of articles entitled "The Bothereation Scheme, No. 1." Any person in Nova Scotia who had been familiar with Joseph Howe and his unmistakable style could have no doubt that these thunder-bolts proceeded from the old tribune.

The political situation in Nova Scotia at this time was mixed. Dr. Tupper and his government were overwhelmingly strong in the legislature; Archibald, the leader of the opposition, and Hiram Blanchard, one of his chief lieutenants, were cordially supporting confederation. McCully, the leader of the opposition in the legislative council, was

¹"I will not play second fiddle to that d—d Tupper," was Howe's savage remark to a friend.

A MIXED SITUATION

also coöperating with Tupper in furthering confederation. It was clear, however, that the confederation question must quickly overshadow all local issues, and as a consequence, we find those of both parties opposed to confederation in the House, coming together and appointing a leader. Mr. Archibald was ignored, and Mr. Stewart Campbell of Guysboro was chosen for this position. Several supporters of the government had announced their hostility to confederation, and leading Conservatives and supporters of the government were openly announcing their determination to resist the scheme to the death. The session of 1866 brought matters to a crisis. The anti-confederate New Brunswick government had been disposed of. Tilley had come back victorious to office after another general election, and New Brunswick was ripe to enter the union. It only remained for Nova Scotia to join and confederation was assured. The two islands of Prince Edward and Newfoundland were too small to be of serious consequence in the creation of the union, and it was, of course, confidently believed that they would join in due course. It was not quite plain how the existing House of Assembly could be induced to accept the Quebec project. It was a notorious fact that a majority of the members were avowedly hostile, and, vigorous and determined a leader as Dr. Tupper was, it was not easy for him to discover the methods by which he could get a favour-

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able vote for confederation in the existing temper of the House. Suddenly, one day, when the session was well advanced, and when every one was on the *qui vive* as to what steps Tupper would take, Mr. William Miller, now Senator Miller, member for the county of Richmond, made a speech favouring the appointment of delegates to meet representatives of the other provinces in London for the purpose of framing a scheme of confederation more favourable to the interests of Nova Scotia. Most members of the anti-confederate party at that time believed that this startling proposition, coming from one of the most active and determined opponents of confederation, was the result of a compact between Tupper and himself. The opportunity of enquiring into this question occurred some years later, when Mr. Miller brought an action for libel against Mr. Annand because the *Morning Chronicle* had stated that Miller had been corruptly bought by Tupper. In the course of this suit both Miller and Tupper swore most positively that not a single word had passed between them on the subject, and Tupper deposed that no person in the legislature was more amazed than himself when Miller made his proposition. However, Tupper resolved to take instant advantage of the new situation. A few days later he submitted a resolution embodying Miller's proposition, and by the extensive exercise of the patronage of the government and by every bold measure which it was possible for

COMPROMISE REJECTED

an indomitable man to exercise, secured the passage of this resolution, and the field was thereby ripe for a colonial conference in London for the framing of the British North America Act.

In the meantime Howe was consolidating the opponents, and the *Morning Chronicle*, of whose columns he obtained control, thundered against the union every day. By mid-summer, 1866, Howe's duties as fishery commissioner ceased with the treaty, and he was free to resume the active duties of a political leader. It should be mentioned in this connection that, notwithstanding the fact that Howe was seriously opposed to the Quebec scheme, and had many misgivings as to the wisdom of linking Nova Scotia with the Canadas in view of the unfortunate political muddle which had characterized the last decade of their history, he, nevertheless, went to Mr. Archibald, prior to his sailing for England as a delegate to frame confederation, and told him that if it was provided, in any act so framed, that the scheme should not come into operation until it had been submitted to the people of Nova Scotia and voted upon by them, he would withdraw all further opposition and cease entirely the agitation. No such assurance was given him by Archibald, nor indeed was there the slightest intention on the part of the promoters that anything of the kind should be done. It was the purpose of the authors of confederation to get the scheme legally adopted and

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to run no risks of a hostile vote of the people. This high-handed method of overturning the constitution of the country without popular assent, was obnoxious to every deep-rooted sentiment of Howe's nature. That the people should rule in all matters had been his invincible principle from the earliest moment of his political life, and it unquestionably stirred his indignation to have this scheme, which he regarded as unfavourable to Nova Scotia, consummated by the imperial parliament in defiance of the wishes of her people.

The following extract from a letter to the Hon. Isaac Buchanan, dated June 20th, 1866, will give a fair idea of the dominant views of Mr. Howe at this time:—"You seem to mistake altogether the grounds on which I have taken the field. Though I have never proposed any scheme of union I have no invincible objection to become a Unionist provided anybody will show me a scheme which does not sacrifice the interests of the Maritime Provinces. The Quebec scheme does sacrifice them completely and the reference to a committee in England is not only an unconstitutional waiver of the rights and responsibilities of the legislature but a leap in the dark besides. The people of Nova Scotia have for one hundred and eight years had their own parliament, and responsible government for twenty-five. I hold that to deprive them of these rights by an arbitrary act of parliament, at the instigation of the Canadians who have never invested a pound of

REASONS FOR OPPOSITION

capital in our country, would be an outrage out of which would grow undying hatreds and ultimate annexation. If an honest, practicable scheme of union can be arranged, let it be printed, perfect in all its parts (which the Quebec scheme is not), and when it has been aired in all the provinces, let the people accept or reject it. If they voluntarily abandon their institutions they will sincerely support the union. If tricked or bullied out of what they value highly they will never be content. When our four hundred thousand tons of shipping go sweeping over the sea with their flags half-mast high, carrying into all British and foreign ports a protest against the outrage done them by the Canadians, you may judge how much stronger they will be for the support of such allies. My course is clear. Old opinions have nothing to do with this matter. I resist the Quebec scheme of government because I do not like it, and the plan for sweeping away the institutions of my country without the consent of its people—because it is an atrocious violation of legal rights never abused or abandoned.”

Howe's power over the masses at this time was phenomenal. A few leading Liberals followed Archibald, but it may be safely stated that the entire Liberal party of Nova Scotia, with these few exceptions, placed themselves unreservedly and with ardour under Howe's banner, and their ranks were swelled by a considerable section of the Conservative party, who were alarmed at confederation.

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The delegates met in London December 4th, 1866. The opponents of confederation had raised a considerable fund for the purpose of sending Howe to London, accompanied by Messrs. Anand and Hugh McDonald, M. P. P., to exert their utmost endeavours to defeat, if possible, the confederation scheme. Howe made a magnificent fight in London, but it was manifestly the policy of the imperial government that Canada should be united, and all the weight of the administration was thrown in that direction. It is to be noted also that the leading men occupying the front benches of the opposition were in no way disposed to make an issue of confederation in the imperial parliament.

Howe issued pamphlets, wrote newspaper articles and discussed the question with leading members of the imperial parliament, but without avail, and the British North America Act was adopted on March 29th, 1867, and, as is well known, came into force on July 1st of that year.

Mr. Howe, his efforts to prevent the passage of the British North America Act having failed, was in a measure free from further responsibility. He reported fully to Mr. W. J. Stairs, of Halifax, president of the anti-confederate league, and the following correspondence will indicate that his political associates were disposed to allow him to exercise his own judgment as to the future. The letter from Mr. Stairs which follows is dated from Halifax, March 28th, 1867:—

LETTER FROM MR. STAIRS

“Your letter of the 15th inst. has been received and read to those friends who have been with you so much interested in showing the people of England the state of public feeling in Nova Scotia.

“I thought it right to bring it to the notice of the anti-confederate members of the legislature, and it has elicited with them, jointly with our outside friends, a letter of thanks to you for your devoted services, and shows, if words can express it, their feelings of sympathy for you in this heavy disappointment. Some may say they never expected any other result, that they judged the House of Commons to be as it has proved. But I must say, I am disappointed. I never could have believed the House of Commons was so void of earnestness and so purely selfish as to disregard the rights and wants of a colonial people, when their case was so clearly and distinctly put.

“I must say, if to get rid of these provinces is their idea, and I believe it is, they have shown a clear perception of the mode in which it is to be worked. But all vain regrets must be buried, and we must, to repeat your words, look to make a new page in the history of our country. This is easier for some than for others.

“I am commissioned to convey to you the sense of a meeting of friends held last evening. The names will be seen by you on another paper. The sentiments they expressed as regards yourself were these:—1st. That after the devotion and sacrifice

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you have made of yourself on behalf of Nova Scotia, it is the wish of your friends and the friends of Nova Scotia, that you should cease from any course of public action in the interests of Nova Scotia which may be made at a sacrifice of your personal feelings and interests. 2nd. Your friends feel that should you return and wish to join the parliament at Ottawa, they will hail your aid as of most serious importance to the party whose duty it will be to mould the constitution of the new state, with regard to the interests of Nova Scotia. 3rd. It was expressed by the Hon. Mr. McHeffy that the county of Hants would, whether you were absent or present, return you as a member of the parliament at Ottawa.¹

“And now, dear sir, I have tried to convey to you the sense of the meeting, but I feel it has been most imperfectly put. The kindly words which expressed these thoughts I cannot reproduce. Of this, however, be assured, your friends will hail

¹ Copy of resolution of party friends referred to in the above letter: Resolved unanimously, “That the sincere and cordial thanks of this meeting be, and are hereby tendered, to the Honourable Joseph Howe for his very firm and patriotic vindication of the right of the people of Nova Scotia to be consulted on the question of the confederation of the colonies before the final consummation thereof by the Colonial and Imperial authorities; and that he be most kindly assured that the learning and ability displayed by him in the discussion of that question, involving as it did, the constitutional freedom of Nova Scotia for all time to come, will ever be held in grateful esteem by the hearts and memories of his fellow-countrymen. On behalf of the meeting, Stewart Campbell, Chairman.”

HOWE'S REPLY

with pleasure any word which may reach them of your being happily employed in England, and should you return to continue your lot among us, you will ever have the first place among your countrymen. . . .”

The following is Mr. Howe's reply to Mr. Stairs's letter, dated April 12th, 1867, from 25 Saville Row, London :—“Many thanks for your long, kind letter and its enclosure. Our friends have expressed in a very earnest and touching manner what I know every one of them feel. Though savage enough when all was over I was never for a moment depressed. I had calculated all the chances before coming here, and knew that they were heavily against me. But I knew also that it was my duty to come. If I had not, my honour would have been tarnished and my conscience wounded. Having done my best I can now sleep soundly. Even the Canadians (no matter what our scamps may say) admit that we made a most gallant fight, and now that it is all over I have the satisfaction to know that, however provoked, we have not, in the face of the world, discredited our friends or our country by one ungentlemanly act or word.

“In leaving me perfectly free to follow my own fortunes, my friends have shown their appreciation of past labours, and recognize my right to repose. I have thought much of this matter during the past month, and I have come to these conclusions, that, perplexed and comparatively defenceless as our

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people must be for some time, I am hardly at liberty to desert them now, at the very crisis of affairs, and when some guidance may be required—at all events, that I cannot do this, or seek or accept other employment until after the general election. If my countrymen desire my aid and wish me to go to Ottawa, they will say so and some county will elect me. If they do not, then they absolve me from all obligation, and I can then dispose of what remains of my life to the best advantage. Were I to express an opinion as to what ought to be done, I might err, and therefore do not, and the matter must rest entirely with my countrymen, whom, by no overt act, on this personal point, can I attempt to influence or control. I shall probably go home by the boat of April 27th, and be governed by the action of my friends, if any has been taken. An idea has got abroad here that I am expected to lead the opposition at Ottawa. It would be a great mistake for our people to pledge themselves to oppose an administration which is not in existence, and which cannot be formed until after the elections take place all over the confederacy. All that they ought to do is to pledge themselves to coöperate and take any line that in their judgments will be most for the interests of our country.

“To conclude the personal matter, let me say that I have not, since I came here, asked any office or preferment, nor do I think, if any were offered, that I could honourably accept it, without laying

LETTERS TO HIS WIFE

myself in some way open to the suspicion of in some way compromising the dignity of my mission, and withdrawing myself from responsibilities which my countrymen may yet wish me to assume."

This is a manly, straightforward statement of his position. Two extracts from his letters to Mrs. Howe at this period show as conclusively that he proposed, having gone thus far, to share the fortunes of his party and make one last struggle for his country. "No appointment has been offered me, nor have I asked for any! The subject of my personal claims or position has never been even alluded to in any communication, personal or written, since I came here. This battle must be fought out before I can think of my own interests or yours either, which God knows are always uppermost in my thoughts. You take, as you always do, just and patriotic views of our duty at this crisis. When the last shot has been fired and I can do no more in defence of my country's rights and interests, with a clear conscience and a cheerful spirit I can commence the world again, and a kind Providence will take care of us as it has always done. It is not worth while even to speculate as to the future just yet, but we will think quick when the proper time comes."

And a fortnight later, on March 2nd, 1867, he writes:—"As you may suppose, the last fortnight has been one of anxiety and vexation, but through it all I have been cheered with the consciousness

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that I have done my duty to my country and to yours and to my father's principles and memory, and am a thousand times happier than I was at Washington or at home last spring before I had decided on my course. I can now live among my own countrymen and enjoy their respect, or lie down beside my father in the churchyard. Do not feel about my disappointment. I never could have been happy had I not fought this battle through, and when it is over will face the future with a light heart."

No one will be surprised then, that after confederation was adopted by parliament, Howe forthwith went back to Nova Scotia and began one of the most brilliant political campaigns in the record of colonial government in British North America. The first general election for the House of Commons of Canada was to take place in September, 1867, and the election for the first provincial legislature was to take place on the same day. A provincial government had been formed under the auspices of Dr. Tupper in July, with Mr. Hiram Blanchard and Mr. P. C. Hill as leading members. A Dominion cabinet was formed at the same time at Ottawa with Sir John A. Macdonald at the head of it, and with Messrs. Archibald and Kenny as the Nova Scotia representatives. Dr. Tupper himself, with great magnanimity, had resigned his right to a seat, which was, of course, placed at his disposal. Howe had one clear purpose, which

IN THE FIELD AGAIN

was to carry, if possible, every one of the nineteen seats which Nova Scotia had in the House of Commons and every one of the thirty-eight seats in the House of Assembly, and to achieve this in the face of all the power and patronage of both the federal and provincial governments and also in the face of the tremendous force and power of Dr. Tupper as an opponent. During the spring of 1867 Howe made a political tour of Nova Scotia, addressing large meetings from town to town, east and west. The enthusiasm which he inspired on these occasions cannot be adequately described in words. His face was not as familiar as of yore in all parts of Nova Scotia, and for some years his voice had not been heard, but he still lived in the hearts of the masses of the people as the greatest figure in the political world. Unquestionably, the sentiment of Nova Scotia at this stage was hostile to political union with Canada, but with the leading politicians on both sides accepting it, it is likely, if Howe had remained neutral, that this opposition would have failed to take effective form and shape. But with Howe at the head of the movement, it developed into a tidal wave which even the indomitable will of Tupper could not resist, although, in justice to him, it must be said that he threw the whole power of his splendid energy into the contest.

The writer may, perhaps, be permitted to describe the incidents of one of these meetings of Howe in 1867, of which he was an eye-witness. The

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meeting for Annapolis county was to be held in Bridgetown, one of the largest and most central towns in the county. The meeting was to take place in the forenoon, which, under ordinary circumstances, would be an impossible hour to secure a great gathering in a farming population, but from eight o'clock onwards carriages began to roll into the town from every quarter, and by half-past ten the town was filled with an excited multitude. A little later Howe drove in himself and was enthusiastically greeted by the multitudes along the street. He put up for a short time at the leading hotel at the head of the street, and hundreds, if not thousands, watched to see his form near a window in the upper story, where, seated at a table, he was making a few notes in preparation for the meeting. At last, accompanied by a number of leading friends, he walked to the court-house. It was found that the building would not contain one-half of the people, and as the day was fairly pleasant, it was necessary to move outside and speak from the steps to the multitude in the open air. Mr. Howe was dressed tastefully, as always, in a suit of grey, and wore a tall white hat. When the meeting was organized and a chairman appointed, Howe came forward and stated that he was accustomed at all such gatherings to begin with three cheers for our beloved Queen, and these were given with a will. Howe was extremely careful during his whole anti-confederate, and later

A CAMPAIGN SPEECH

during his repeal campaign, to make sure that no charge of disloyalty to the empire could be preferred against any action on his part or that of the party with which he was associated. He then launched forth into a magnificent speech dealing with the subject in its broadest terms and carefully abstaining from any mere claptrap appeals to the popular prejudices. As an example of the imagery with which he could embellish passages of his speech, one extract may be given from this admirable address :—

“Aye, but think of the attractions of Ottawa! They may be very great, but I think I may be pardoned if I prefer an old city beside the Thames. London is large enough for me, and you will no doubt prefer London with its magnificent proportions to Ottawa with its magnificent distances. London! the commercial centre of the world, the nursing mother of universal enterprise, the home of the arts, the seat of empire, the fountain-head of civilization. London! where the Lady we honour sits enthroned in the hearts of her subjects, and where the statesmen, the warriors, the orators, historians and poets, who have illustrated the vigour of our race and the compass of our language repose beneath piles so venerable we do not miss the cornice and the plaster. London! where the archives of a nationality not created in a fortnight are preserved, where personal liberty is secured by the decision of free courts, and where legislative chambers,

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the most elevated in tone, control the national councils and guard the interests of the empire. Surely with such a capital as this we need not seek for another in the backwoods of Canada, and we may be pardoned if we prefer London under the dominion of John Bull, to Ottawa under the dominion of Jack Frost."

Howe, at all events, so successfully pursued his campaign against confederation that out of nineteen members of the House of Commons, only one, Dr. Tupper, and that by the most tremendous exertions, was elected to represent the confederate cause, and of the thirty-eight seats in the provincial legislature only two confederates secured election, and one of these, Mr. Blanchard, by a division in the ranks of the anti-confederate party. He was promptly unseated, and at the bye-election defeated by an immense majority, a few months later. Most of the anti-confederate candidates in both the federal and provincial House were elected by overwhelming majorities. In fact a more complete tidal wave of popular opinion was scarcely ever exhibited in the history of popular government.

Howe at this moment was the hero of the hour, and it seemed as if he held the destiny of the province within his own keeping. A provincial government was promptly formed with Mr. Anand, Howe's life-long friend, at the head of it, and with his anti-confederate supporters as members. At the first session of the federal parliament, Howe

TUPPER'S PARTY GROWS

appeared with an unbroken phalanx to raise the note of repeal in the national councils, while his only opponent, Dr. Tupper, confronted him without a follower. This was the appearance that matters assumed at this moment, but the history of the world demonstrates clearly enough that events are not controlled by mere majorities. Now that Howe had been able, by dint of his marvellous influence, to induce the people of Nova Scotia to reject confederation and demand the disruption of the union, what was to be the outcome? For upon the solution of this must depend ultimately the strength or weakness of Howe's position.

Of course, the provincial government took immediate steps to obtain a repeal of the union, and in this they received the coöperation of all the Nova Scotia members of the House of Commons, with three exceptions. One exception the reader would naturally expect, but already Dr. Tupper was proceeding with his task of sapping the strength of the anti-confederate party. Mr. Stewart Campbell, who had been elected to the House of Commons for Guysboro, as an unflinching anti-confederate, had suddenly announced his belief that, as confederation had been adopted, it would be unwise and unpatriotic to take further steps to secure its dismemberment. Mr. James McKeagney of the county of Cape Breton had from the beginning intimated his determination to take a similar course, and these two men from this moment may be classed as Dr. Tupper's

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followers. A delegation was immediately appointed to go to England and demand a repeal of the British North America Act, so far as it related to Nova Scotia. Of course, Howe was put at the head of this delegation, with Annand, J. C. Troop and H. W. Smith as co-delegates. Howe sailed for England on February 14th, 1868, and the other delegates proceeded later. Dr. Tupper was chosen by the government of Canada as its representative to oppose the action of the Nova Scotian repealers, and to uphold the integrity of the Dominion.

Howe, who was, of course, the soul of the delegation, proceeded to take the most active measures to further his plans. He issued pamphlets and published letters. He canvassed personally members of the House of Commons and of the House of Lords. He was able to secure the active coöperation of no less a personage than Mr. John Bright, who became his spokesman in the House of Commons, and of Lord Stratheden in the House of Lords, but he plainly saw very soon after his arrival, indeed it is not unlikely that the suspicion took possession of his mind before he started, that it was distinctly a part of the imperial policy that confederation should be maintained. He was therefore unable to secure the slightest aid or encouragement from the colonial secretary or the members of the government, and he found equal difficulty in obtaining any cordial coöperation from those occupying the front benches of the opposition.

TUPPER AND HOWE IN LONDON

Early in March Tupper appeared in London and his first step on his arrival there was to proceed to Howe's lodgings to present his compliments. Unquestionably, Tupper felt that he was bound to capture Howe, and he recognized that even the stars in their courses were fighting for him and his cause. Howe and Tupper had their first interview alone in London. The situation could not be misunderstood. Dr. Tupper said: "Mr. Howe, you are here seeking a repeal of this union. You are commissioned for that purpose, and bound to exert your utmost efforts. You will fail. What then?"

And indeed, what answer could Howe make, even with his overwhelming majority in the provincial legislature and his great array of support in the House of Commons, and his overpowering command of the electorate? Could he propose political union with the United States? Tupper knew that it was opposed to every instinct and prejudice of Howe's character. Was rebellion to be thought of? Three hundred thousand Nova Scotians against the empire! This was too preposterous for serious consideration. What then? Was Howe's great statesmanship to be put to no better use than to disturb and agitate the union and give birth to a spirit of faction and unrest, which would paralyze the efforts of the authors and founders of this new nation? Could any one expect that a man of Howe's greatness could picture such a line of conduct as the outcome of all those large ideas of

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constructive statesmanship which had characterized his entire life? Tupper clearly perceived this when he put that poignant question—"What then?"

Howe naturally pleaded that he could do nothing but remain true to those whom he represented. He knew quite well that he had conjured up a spectre which he could not down and was powerless to control. But Dr. Tupper's answer was prompt: "You cannot permanently ally yourself with a disturbing faction. Your place is in the government of Canada, helping by your talents and your influence with the masses to secure the effective operation of confederation itself." And when all was said and done, that was the only course open to Joseph Howe. He remained in London to the end, until Mr. Bright's proposition for a committee of enquiry was voted down by an overwhelming majority, and when a proposition favourable to repeal had been rejected by an incoming Liberal administration in as clear and decisive terms as had characterized the answer from the Conservative government which had just left office.

Before leaving England Howe penned an eloquent and spirited protest on behalf of Nova Scotia addressed to the colonial secretary, in which he concluded with these memorable words: "In the interim, we presume, the future of our country will be anxiously considered by its people. May the Almighty guide them. Having discharged our duty to the empire, we go home to share the perils

A LOSING BATTLE

of our native land, in whose service we consider it an honour to labour, whose fortunes in this, the darkest hour in her history, it would be cowardice to desert." Then he and his co-delegates sailed for Halifax, and on board the same steamer was Dr. Charles Tupper. Before leaving England he had written to Sir John Macdonald that "Howe would soon be with us."

Howe and his associates were received in Halifax by the anti-confederate party as the heroes of Nova Scotia's rights, and Tupper was welcomed by a few leading men who had gathered upon the wharf to present their respects, among others Mr. Tilley, of New Brunswick. Howe's position at this moment was extremely trying and painful. He saw plainly that it would be unpatriotic and unworthy to keep up a fruitless agitation which would constitute a disturbing feature in confederation, and yet it required little prescience to foresee what attitude would be assumed towards him by that great anti-confederate party which his genius had created. There is nothing from which a spirited man shrinks with such instinctive horror as the charge of treason, and it was not difficult to perceive that any movement on his part towards staying the insensate agitation for repeal would be met by a howl of indignant dissent from the repeal party. This, indeed, might have been avoided but for the existence of a provincial government. The members who had been elected to the House of Commons

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were distinctly pleased with the condition they found there; soon began to fraternize with the representatives of the other provinces, and soon in their hearts ceased to have the slightest desire for a repeal of the union. But the members of the provincial government were not brought in contact with Canadian questions at all. They owed their position to the tidal wave of anti-confederate feeling in Nova Scotia. They believed that this still existed and would not spend its force for some years, and that the most effective method by which they could retain the confidence of the people who sent them there was to keep up the agitation for repeal, though they knew quite well that it would be hopeless and fruitless. Therefore at this moment the highly-inflamed anti-confederate party in Nova Scotia looked to the local government for the championship of its cause rather than to the members of the House of Commons. If the leaders of the provincial government had frankly agreed with Howe as to the course which should be pursued, much of the difficulty and opprobrium with which he had later to contend would have been avoided. But there was no intention on the part of the leaders of the provincial government to do anything of the sort. The consequence was that the first moment Howe gave indications of an intention to hesitate respecting further measures looking to repeal, Mr. Annand, his life-long friend and associate, parted company with him, and opened the

TUPPER'S ACTIVITY

columns of the *Morning Chronicle* to an unceasing tirade of abuse of his old leader and hero.

When Howe returned from England he was still received and regarded as the leader and hope of the repeal party. If any of his associates on the delegation had suspicions regarding his future course, they concealed them, and, as a consequence, public meetings and receptions were held in which Mr. Howe was glorified for his able championship of the repeal cause; and uncompromising determination to carry forward the struggle was everywhere expressed. But events were developing. On landing at Halifax Tupper found Mr. Tilley, a member of the federal cabinet, and to him he unfolded Howe's doubts and difficulties, and the inevitable determination to which they must ultimately carry him. Mr. Tilley was induced to write a letter to Sir John Macdonald, recommending that he come down to Nova Scotia and confer with the leaders of the anti-confederate party. As for Tupper himself, he set out straightway for Ottawa to find Sir John in person, and not finding him there, pursued him to Toronto and induced him to agree to visit Nova Scotia about August 1st, 1868. It happened that the provincial legislature was to hold a special session at that date, and in view of the failure of the repeal delegation, a convention of all the provincial and federal members opposed to confederation was to be held in Halifax. Tupper's anxiety was not so much to secure a favourable

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consideration of any proposition to stay the repeal movement with the party generally as to bring Sir John and Mr. Howe together, because he recognized that if Howe's coöperation could be obtained, the backbone of the repeal movement would be broken, and that Howe's great name and influence, allied to his own confederate followers in Nova Scotia, would quickly give him command of the situation.

Sir John agreed to this visit and was accompanied by Sir Georges Cartier, Mr. Peter Mitchell and Mr. William McDougall. The announcement of Sir John's intended visit was made in advance, and was received with mingled feelings by the anti-confederate party. Sir John, although confederation had been achieved but a year, had already gained the reputation of being a most able and adroit manipulator of men and conditions, and the uncompromising repealer viewed with alarm the prospect of the wily politician bedevilling the leaders of the anti-confederate party. One of the repeal organs, the *Acadian Recorder*, went so far as to suggest violence to Sir John, and this drew from Mr. Howe the following letter to the editor of the *Morning Chronicle*, dated July 30th, 1868, which is so characteristic of the man that it must be inserted in full:

"The papers inform us that Sir John A. Macdonald and his lady, and perhaps Mr. Cartier, are coming to Nova Scotia on a visit, and the editor of an evening paper bespeaks for them, should they come, discourteous treatment, if not rougher hand-

HOWE'S PROTEST

ling. I regret to see this spirit manifested in any quarter. Where actual war rages flags of truce are respected, and the soldiers in the field exchange courtesies across their lines which lend the grace of chivalry to the sternest conflicts. Roderick Dhu shared his plaid and his heather couch with Fitz James, though ready and anxious to cross swords with him in the morning. We have taught the public men of Canada and of England within the past two years that the people of Nova Scotia are men and not cravens. Let us show them now that we are gentlemen and not ruffians. One rude word, one act of discourtesy, would disgrace us all, and bring such discredit on our cause as to make it hopeless hereafter.

“Nineteen Nova Scotians traversed the Canadas last fall, and sojourned for forty days in the capital of the Dominion. Though the great majority of them were known to be hostile to the fundamental law under which the legislature was convened, and not very friendly to the government—though I and others denounced the act and the policy of the majority on all suitable occasions, with indignant freedom of speech, yet from the time we entered Canada until we came out of it we received from all classes of the people hospitable and courteous treatment. I passed through the crowded corridors of the House of Commons with my hot words ringing in the ears of the people I met, but they never offered me insult, and at three o'clock in the

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morning I often went to my lodgings alone, as little apprehensive of obstruction or offence as I would have been in the streets of Halifax. Let us hear no more, then, of different treatment of Canadians, high or low, in any part of the province. If we have lost our constitution let us preserve our manners.

“The secretary of state and the imperial parliament have thrown upon the Canadian government the responsibility of action in the great controversy which, at the present moment, perplexes us all. It would appear that its leaders have promptly responded, and will come here to discuss with Nova Scotians such remedial measures as they may have to propose. We are bound to give them a fair hearing and courteous treatment. Is our case so bad that we are afraid to discuss it on our own soil with the leading men of Canada? Are we so strong that we can afford to outrage the public sentiments of the whole world by a reckless disregard of all usages of civilized diplomacy? I think not, and I hasten to say that I should deeply regret if any indiscretion were to sully a course which has hitherto been conducted with dignity and temper which have challenged the respect even of those to whom we have stood opposed. I am quite sure that on reflection, the writer to whose article I refer, and whose views it is possible I may have misapprehended, will concur in the opinions which I consider it a public duty thus frankly to express.”

This was the first public utterance which had

SIR JOHN MACDONALD'S VISIT

fallen from Howe's lips since his return from England. His residence was a neat little cottage in a grove on the Dartmouth side of the harbour, and while all others were talking the great old sage remained silent, and his silence was bearing its fruit in mutterings of suspicion on the part of his friends and followers. This letter gave a distinct indication of his intention to treat with Sir John, and his desire that he should be courteously received during his visit.

Sir John and his colleagues arrived at Halifax on a Saturday evening, July 31st, and Sir John himself became a guest of Sir Hastings Doyle at government house. He immediately addressed a note to Mr. Howe, stating his desire to meet him, and suggesting Sunday at half-past one o'clock as a suitable hour. Howe acknowledged the note and agreed to meet him at that hour at government house, and it can be easily imagined what matters of weighty import were discussed during the afternoon between these two distinguished men. The next day the anti-confederate caucus assembled in the old parliament buildings. Mr. Howe presided. An executive committee was appointed to give Sir John Macdonald and his colleagues a hearing, and Howe was able to secure even this slight concession only by his own casting vote. Sir John Macdonald appeared before this committee composed of the leading men of the party, including all the members of the provincial government, but he accomplished

nothing definite by this. Sir John was too adroit to commit himself by any injudicious promises. He stated that his government had been charged by the colonial secretary with the duty of discovering what just grievances Nova Scotia had, and if any of the terms of union were shown to be unfair that his government would undertake to make them right, and he invited most full and cordial representations in this regard. So far as the provincial government and its immediate followers were concerned, no concessions would have been accepted. It was not their interest to come to terms. It was their interest at that moment to have the agitation kept up, but Sir John Macdonald's words had their weight with those members of the anti-confederate party who were in the House of Commons, and they were not wanting in effect even upon members of the provincial legislature who were just and broad enough to recognize that the agitation was aimless and vexatious. But Sir John Macdonald's visit had accomplished this important result: it had secured a *rapprochement* between himself and the great leader of the repeal party.

It is scarcely possible to appreciate the enormous difficulties which surrounded Howe at this moment. Patriotism declared, in unmistakable terms, that it was his duty to abandon this vexatious and hopeless struggle. The appreciation of his own name and character in history proclaimed that it would be impossible to avoid the adverse judgment of man-

A DIFFICULT POSITION

kind, if he lent himself further to a lost cause. On the other hand, he was confronted with the unquestionable fact that he would have the bitter hostility of the provincial government, and that in his ears would be heard the din of a thousand voices proclaiming him a traitor, and these the voices of lifelong friends and admirers. He might well, perhaps, have wished that he could have been spared such a victory as seemed to be his on September 18th, 1867. Sir John Macdonald desired Howe to take immediate steps to end the difficulty. The most persistent claim put forth by the anti-confederate party was that under the financial terms of confederation, Nova Scotia was not receiving full justice. It is scarcely worth while to enquire into the niceties of this claim, because, whether it was well founded or mythical, it was seized upon by Sir John Macdonald as a convenient means of taking some step to reconcile Nova Scotians to the union. He wished Howe to enter at once upon the discussion of better terms with Sir John Rose, the finance minister. Howe hesitated, but he agreed to give the whole question careful consideration and to continue the discussion with Sir John by correspondence. Consequently, soon after his return, Sir John Macdonald wrote a lengthy and carefully prepared letter, setting forth his understanding of the situation, and pressing upon Mr. Howe the necessity of giving these matters careful attention with a view to early action. The correspondence,

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which extended over two months, between Sir John Macdonald and Howe, has been published in the appendix of Pope's "Life of Sir John Macdonald," and these letters are intensely interesting historical documents, although it must be frankly admitted that in this correspondence, viewed from a political standpoint, Sir John Macdonald comes out distinctly best. Not a line in his several letters but showed evidence of most careful reflection; not an injudicious expression falls from his pen; nothing that could not safely be given to the world at any moment. Howe's letters are scarcely free from some tokens of indiscretion. He sometimes puts himself somewhat in the power of Sir John, and he occasionally betrays unfortunate tokens of personal feeling in regard to his late associates. It must be remembered that at this date Mr. Howe was sixty-five years old, and although many men have exercised their full faculties at a much later period in life, it may be fairly stated that he was not the Howe that drove Sir Colin Campbell and Lord Falkland from Nova Scotia.

Mr. Howe showed Sir John Macdonald's letter to Annand, the head of the provincial government, because he did not fail to realize how important it was that the provincial government should be induced, if possible, to coöperate in measures looking to a settlement of Nova Scotia's grievances on the basis of better terms. Annand read the letter and at once stated: "Yes, we will take this letter

HOWE AND ANNAND

and deal with it." Probably this would have been very satisfactory to Howe if he could have trusted Annand to have dealt with it in a fair and ingenuous manner, but it required no great wisdom to see that if left absolutely to be dealt with by the provincial government, it would have been not the means of securing reconciliation, but the means of the provincial government's seeking justification for the continuation of the struggle by imposing unreasonable, indeed impossible, conditions upon the federal government. Howe was therefore compelled to withdraw the letter from Annand's consideration, since, indeed, coöperation was impossible. It was thus that these two life-long friends parted company, and that a powerful faction remained in Nova Scotia to hamper every movement of Howe in the direction of reconciliation, to keep up the agitation for repeal for a year or two longer, and, even then, to leave a rankling sentiment in the breasts of hundreds, if not thousands, of men in Nova Scotia, who might, under fair conditions, have been reconciled to the great measure of Canadian confederation.

Howe's version of the interview between Annand and himself on this point is as follows:—"Mr. Annand wished to shelve Sir John's letter until another delegation could be sent to England. I said, 'If I put this by for six months and let you send a delegation and the answer is unfavourable—what then?' Mr. Annand replied, 'Then I will go for

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annexation.” To this Mr. Howe answered, “In that case we should have to part, and we may as well part now and save six months’ time.”

Howe remained in seclusion at “Fairfield” during the summer and autumn. A vote of thanks to the delegates had been adopted by the legislature of Nova Scotia before its adjournment in September, and a day was appointed on which the delegates were to appear at the bar of the House and receive this token of honour from the mouth of the speaker. Mr. Annand, Mr. Troop and Mr. Smith were at the bar, but the great old Joseph was absent, though not far away. Indeed, at the very moment when the speaker was conveying the sentiments of the House, Howe, on the arm of a friend, was walking to and fro on Hollis Street under the shadow of the parliament building. Mr. Howe had his reasons, and they were fairly good ones, for not wishing at that moment to accept hypocritical professions of regard from the men whom he knew were presently to turn and rend him.

Every day that Howe refused to join in the vehement outcry against confederation the suspicion deepened in the mind of the anti-confederate leaders that he was about to forsake the cause, and dark whispers and ominous shakings of head were heard and seen. Knowing that he was without means it was the prevailing fear of the repealers that Howe would obtain some imperial office as the price of abandoning his friends, or even some

THE REPEAL PARTY SUBSCRIPTION

lucrative place provided by the federal government. These fears were absolutely without foundation and no doubt remains that Howe was solely concerned in devising the best and most honourable means whereby the provincial interests could be served and the trouble ended.

The wealthy men of the repeal party conceived the idea of meeting these fancied temptations by counter proposals. When Messrs. Howe, Annand and Hugh McDonald went to London in 1866-67 to oppose the adoption of the confederation scheme, their expenses were paid by a subscription from the friends of the anti-confederate party, and a sum had been raised for this purpose, amounting to \$6,710.97. When the anti-confederate government had been formed, subsequent to the elections, it was deemed a proper thing to vote from the provincial treasury this sum for the purpose of recouping the friends who had raised it by voluntary subscription. One day in September, 1868, one of the merchants who had been a liberal contributor to this fund and a devoted friend of Howe, visited him at "Fairfield," and made a proposition that this sum should be handed over to him as a mark of appreciation for his devoted services to the cause. The real object was, of course, delicately veiled, but a man of Howe's discernment could not fail to apprehend its possible meaning. After giving the matter careful consideration he wrote to another very influential friend in

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the city a lengthy letter in which it will be seen that Howe, in very plain terms, declines to permit his actions to be hampered by personal considerations of any kind. It was publicly stated by Howe that another attempt had been made to bind him to the cause in the form of a proposal to send him to Washington as a special commissioner for Nova Scotia, but this he declined even to consider. The following is the letter above referred to, dated Fairfield, September 26th, 1868:—

“My dear B.,—G—— was over yesterday and we talked all the afternoon. As you and others whose motives are equally friendly were not present I have thought it due to you to put upon paper the substance of what was said to G——.

“1st. As respects the rumours and slanders set afloat about the town and country, I believe they all come out of the province building and had their origin in the meanest and most contemptible of motives. They are without a shadow of foundation.

“2nd. I had with the imperial government in 1867 no intercourse or communication which was not known to or read by Messrs. Annand and McDonald. In 1868, except during the two days that Mrs. Howe and I spent at Stowe, when confederation was never mentioned, some or all of the delegates were present at every interview with the Duke of Buckingham, and saw, I believe, every note that passed between us. I have at no time, since I resigned my fishery commissionership, asked

INDEPENDENCE

for office, nor has any offer been made to me by Her Majesty's government. I have had no communication with the imperial authorities since leaving England, and the story which I found floating about Hants the other day, that the British government had said to Mr. Howe, 'You quiet Nova Scotia and we will take care of you,' is a base falsehood, without a shadow of foundation.

"3rd. It is just as untrue that I have accepted office under the Dominion government. The very reverse is true, and Sir John Macdonald was informed that nothing would induce me to take office until the country was satisfied and my own friends thought that I could do so with honour. Even when consenting to coöperate with him for the restoration of our American trade it was with the distinct understanding that my services would be gratuitously rendered, that no miserable scamp should have it in his power to say that money was an inducement.

"You will perceive, therefore, that at this moment I stand perfectly independent of the imperial and of the Dominion governments. Now, for many reasons, I desire to stand quite as independent of the local government. In the critical and delicate circumstances in which this province is placed, it may become my duty to act on my own judgment, and, should the necessity arise, I wish to be perfectly untrammelled by all considerations except those of public duty.

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“I have no faith in a further appeal to England, and I cannot lie to the people of Nova Scotia and amuse them with vain delusions and another expensive delegation.

“I do not believe in Mr. Wilkins’s law, and I do believe in the paramount power of the imperial parliament.

“I do not believe in committing a body of honourable and loyal men to treason, insurrection and filibustering raids into our country without the smallest chance of a fair fight to be crowned by reasonable success.

“I do not believe in passing revenue laws which nobody would obey, without the governor’s assent, nor in imprisoning collectors who would be instantly released on a writ of habeas corpus.

“I do not believe in making treasonable speeches one day nor in eating them the next. Nor in censuring a governor and then shrinking from the inevitable alternative—a dissolution.

“For these, and for sundry other reasons, it is of the utmost importance that I should keep myself clear of all entanglements just now. If, as I believe he will, Sir John A. Macdonald puts into official form the substance of what he said to the committee of the convention, I want to be at perfect liberty to reconsider the whole subject as it may be then presented.

“As respects our mercantile friends, I have nothing to conceal from them. My action in the

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future as in the past will be fair and open. If they wish to do my family the service delicately explained to me by Mr. G., I am perhaps not rich enough to refuse their gift. But I want it to be made, if made at all, with a full knowledge of the facts. I have always thought, without any reference to what they might do with it, that the merchants were entitled to have the money advanced in 1867 for the public service, repaid by the government. But if this is done it ought to be done purely on public grounds and without reference to its further appropriation. If given to me it should be given for past services, leaving my future action untrammelled. If given merely as a retainer to commit me to a policy which I may or may not approve, my friends would not, I am sure, feel offended if in that case the offer was respectfully declined."

The correspondence between Mr. Howe and Sir John Macdonald resulted in a conference at Portland between Mr. Howe and Mr. A. W. McLellan, one of the members of the House of Commons, and Sir John Rose, in which the whole financial situation was taken into careful consideration. Mr. A. W. McLellan, who afterwards became a minister, was a sound and able financier, and a very suitable man to coöperate with Mr. Howe in details. It may be mentioned, however, that Howe's first choice for his associate was Mr. A. G. Jones, of Halifax, who was regarded as one of the most

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influential men of the anti-confederate party, and on Howe's dropping out, became the recognized leader of that party in Nova Scotia. Mr. Jones, in response to Howe's request, very frankly stated his reasons for declining. He would be very glad to enter into such negotiations, with the aim of securing financial justice to Nova Scotia, but he said with much cogency, that any efforts made by any persons who did not secure the coöperation of the provincial government would not settle the question, and that it was useless to attempt to secure a settlement until the local House agreed to it. As evidence that Mr. Howe acted openly in all his actions in this matter, it is to be noted that, before going to Portland he addressed the following circular, dated October 19th, 1868, to his Nova Scotia supporters in the House of Commons:—

“Sir John A. Macdonald sent me last week a semi-official letter, embodying the statements and propositions made here to the committee of the convention, to which I have replied to-day. As these papers are of some length I cannot have copies made for all our friends, but I write to say that they and any others that may form part of our correspondence will be open to the inspection of the members of the House of Commons whenever any of them come to town.”

At Portland arrangements were made for the sum of \$1,188,750 to be added to the debt to be credited Nova Scotia on entering confederation,

A MEMORABLE CONTEST

and an annual payment of \$80,000 for ten years. Howe would, undoubtedly, have preferred not to have entered the government of Sir John Macdonald at this time. If he could have maintained an independent attitude as a member of the House of Commons, he could have avoided many imputations which followed his acceptance of an office of honour and emolument. He foresaw this with unerring clearness, but, unfortunately, the option was scarcely left with him. Sir John Macdonald stated that it involved great difficulty and risk to agree to these large concessions to Nova Scotia, and that his only hope of being able to carry such a measure through the House of Commons was by the assurance that the repeal movement would cease, and that the only substantial guarantee he could give to his colleagues and supporters was the presence of Mr. Howe himself in his cabinet, helping to carry out the great work of confederation. To this appeal Howe could make no answer. The consequence was that on January 30th, 1869, Howe was sworn in as president of the privy council, and came back to Nova Scotia to face the issue with the electors of the county of Hants, for which county he was then sitting as member. The contest in Hants was the most memorable in the history of single elections in Nova Scotia. The provincial government and the entire anti-confederate party threw themselves into the county from far and near, because it was recognized that the struggle

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was one of life or death to the anti-confederate party of Nova Scotia. Funds were not wanting. The sum of \$6,710.97, voted generously by the legislature to recoup the men who had patriotically subscribed it to pay the delegates in 1866-67, was paid over to the treasurer of the repeal league, and the very sum with which the leaders of that movement sought to bind Howe to their cause was in the end applied to secure his defeat in Hants.

Nevertheless, Howe's friends were not inactive. As long as his health permitted he made a splendid fight, but, unfortunately, during the campaign his strength completely failed him and he was confined to the house, and the election had to be carried on by friends. The result of the election, however, was entirely satisfactory to Howe. His majority was three hundred and eighty-three, and by his election the cause of repeal received its death blow, although the provincial government still utilized it as a battle-cry for a year or two afterwards, and this notwithstanding the fact that the better terms which Howe had achieved were accepted by them, and all the advantage of the larger annual revenue which his exertions had obtained, inured to their benefit.

Howe did not long remain the president of the council. The department of secretary of state for the provinces soon became vacant by the retirement of Mr. Archibald, and Howe was assigned to this place. This department was an important one and corresponded very largely with the duties

VISITS FORT GARRY

now performed by the minister of the interior. The admission of the North-West Territories and the creation of the province of Manitoba were especially under his control. In order the better to discharge his duties, Howe made a visit to Fort Garry, or Winnipeg, in the autumn of 1869, and studied upon the spot all the circumstances and surroundings of the situation, and became impressed with the idea that difficulties were to be met in taking possession of that country. On his return from this visit he met Mr. McDougall, who was on his way to assume the duties of governor when the territories should be legally handed over. In the brief interview which occurred, Howe frankly pointed out some of the dangers of the situation, but the circumstances of their meeting on a cold day, in open conveyances, made a lengthy interview impossible. Mr. McDougall, after the unfortunate fiasco which attended his attempting to assume his duties, charged Mr. Howe with having fomented the difficulties during his visit to Winnipeg. This charge, of course, was preposterous. Howe had no other object than to remove obstacles and to pave the way towards pleasant and friendly relationships with the people of the new territory which was about to become a part of the Dominion. After his return to Ottawa news of the outbreak on the Red River reached the capital. The correspondence in relation to this troublesome incident in Canadian history devolved

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upon Mr. Howe, and in it he displayed his old-time ability in unfolding in lucid and fitting terms the varying phases of the situation. In all the important problems which confronted the Canadian government during the four years that he was in office, he took a fairly active part.

Howe's four years as a member of Sir John Macdonald's cabinet are the least glorious of his whole career. His health was impaired, not entirely on account of old age, although he was sixty-five when he became a member of the government, but chiefly owing to the arduous winter campaign of 1869 in his election in Hants, when he was compelled, as has been mentioned, to withdraw from active participation in the fight. His journey to the North-West was also a task beyond his physical power and his exposure during the long journey in a sleigh in November, and the necessity of camping out on the plains produced serious results. Consequently, during the remainder of his term in office he did not possess the vigour and fire of former years. But, apart from this, the situation was novel. Howe had been accustomed all his life to lead and control events. He found himself a member of a government of which Sir John Macdonald was the supreme head and of a cast of mind totally different from his own. Sir John Macdonald was a shrewd political manager, an opportunist, whose unflinching judgment led him unerringly to pursue the course most likely to

GOVERNOR OF NOVA SCOTIA

succeed each hour, each day, each year. Howe had the genius of a bold Reformer, a courageous and creative type of mind, who thought in continents, dreamed dreams and conceived great ideas. Sir John Macdonald busied himself with what concerned the immediate interests of the hour in which he was then living, and yet Sir John Macdonald was a leader who permitted no insubordination. Sir Georges Cartier, a man not to be named in the same breath with Howe as a statesman, was nevertheless a thousand times of more moment and concern with his band of *Bleu* followers in the House of Commons, than a dozen Howes, and the consequence is that we find, for four years, the great old man playing second fiddle to his inferiors, and cutting a far from heroic figure in the arena in which he had been cast under circumstances altogether unfavourable. There are gleams of the old fire in occasional speeches delivered in the House of Commons, but this old fire usually betrayed him into injudicious observations which led to trouble and sometimes proved perplexing to Sir John Macdonald.¹

In the spring of 1873 the governorship of Nova Scotia became vacant by the retirement of Sir Hastings Doyle. This position was offered to Howe. He accepted it, and in May, 1873, he was sworn into office, and took up his residence at government house, Halifax, the very place from which he had driven the Colin Campbells and Falklands in a

¹ See appendix G

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former day. His health was broken, but his friends hoped that the leisure and freedom from care of this position would enable him to recuperate, and Mr. Howe himself on assuming office was cheerful and buoyant. He was not destined to hold this high place long, for his great career was soon to reach its termination.

When weighing, as history must weigh, his claims and qualifications as a statesman of the first order, those of our Canadian fellow-citizens who do not belong to Nova Scotia, and who are not familiar with his great career must try to do him the justice of never measuring his qualities by the four unfortunate years that he was a cabinet minister in Ottawa.

CHAPTER X

INCIDENTS

MR. HOWE had always a yearning desire to visit England and note in person the scenic aspects and industrial developments of Great Britain, and also to come in contact with her public men and study on the spot her political institutions. At the close of the session of 1838, he sailed on April 28th for England accompanied by T.C. Haliburton (Sam Slick), and did not return until November. During that time he not only travelled over a large part of Great Britain and Ireland, but also visited France, Belgium, and a portion of Germany. He contributed to the *Nova Scotian* a series of delightful articles under the title of "A Nova Scotian in England." These have never been published in separate form, but they would make as interesting a book of travels as any that have been published in this country.

On the voyage across, the ship upon which Howe had taken passage was overtaken by the steamer *Sirius*, which had made a trial trip to America from England and was on her return voyage. The captain of the *Tyrian*, on which Howe was sailing, determined to send his mails on board of her. Mr. Howe visited the steamer while she was lying to

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and was entertained by the captain, after which he returned to his ship which lay becalmed, while the steamer proceeded easily upon her voyage. This incident so far impressed Mr. Howe, whose eye was ever alert for anything that would operate favourably to his country, that he devoted himself, on his arrival in England, to the task of drawing the attention of the colonial minister to the desirability of establishing steam communication between Great Britain and Halifax. Mr. William Crane, a prominent man from New Brunswick, was in London at the time and he joined with Mr. Howe in a letter addressed to Lord Glenelg. Two extracts from this letter will serve to demonstrate how clearly Howe grasped the problem of steam communication between Great Britain and British North America and how broad and far-reaching were his views in this regard even at this early date:—

“Since the undersigned left the colonies, and after the close of the legislative sessions, the successful voyages made to and from England and New York have solved the problem of the practicability of steam navigation across the Atlantic, and rendered a revision of the system of packet communication between Great Britain and her North American provinces extremely desirable, if not a measure of absolute necessity. Assuming that no reasonable doubt can any longer be entertained that the commercial and public correspondence of Europe and

LETTER TO LORD GLENELG

America may now, and to a vast extent will, be conveyed by steam, the question arises whether the line of packets between the mother country and the important provinces of North America, should not be immediately put upon a more efficient footing. This question, for a variety of reasons, is beginning to press itself strongly upon the minds, not only of the colonists generally, but of all those who in this country are engaged in commercial relations with them, or are aware of the importance, in a political point of view, of drawing them into closer connection with the parent state. . . .

“If Great Britain is to maintain her footing upon the North American continent—if she is to hold the command of the extensive sea coast from Maine to Labrador, skirting millions of square miles of fertile lands, intersected by navigable rivers, indented by the best harbours in the world, containing now a million and a half of people and capable of supporting many millions, of whose aid in war and consumption in peace she is secure—she must, at any hazard of even increased expenditure for a time, establish such a line of rapid communication by steam, as will ensure the speedy transmission of public despatches, commercial correspondence and general information, through channels exclusively British, and inferior to none in security and expedition. If this is not done, the British population on both sides of the Atlantic are left to receive, through foreign channels, intelligence of much that

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occurs in the mother country and the colonies, with at least ten days, in most cases, for erroneous impressions to circulate before they can be corrected. Much evil has already arisen from the conveyance of intelligence by third parties, not always friendly or impartial; and, from the feverish excitement along the frontier, the indefatigable exertions of evil agents, and the irritation not yet allayed in the Canadas, since the suppression of the late rebellions, it is of the highest importance that a line of communication should be established, through which not only official correspondence but sound information can be conveyed. The pride, as well as the interests of the British people, would seem to require means of communication with each other, second to none which are enjoyed by other states."

Very soon after this, Mr. Samuel Cunard of Halifax, with great foresight and enterprise, established a steamship line between Great Britain and Halifax, which created many bright hopes in the breasts of the people of that city at the time. The enterprise grew to such proportions that the Cunard line subsequently made New York the terminal point on this continent and developed into one of the great steamship lines of the world. The desirability, however, of direct rapid transit between Great Britain and Canada, through some convenient point on the Atlantic coast, has continued to occupy the attention of the public men of this country to

ADVOCATES RAPID TRANSIT

the present day, and no words advocating this project have been couched in broader and more effective terms than those uttered by Joseph Howe in 1838.

Howe visited England many times after this, as will have been observed from the records of the preceding chapters of this book. He became to a large degree associated with the public men of Great Britain, and was, in his day, perhaps the most conspicuous figure in London among the colonial statesmen of the empire.

An incident which illustrates Howe's determination to uphold his cause at all hazards occurred in 1840. It is unnecessary to state that the persistent and successful attacks which he was making upon the salaried and governing class of Nova Scotia excited the bitterest hostility. At first an attempt to crush him by ridicule and ostracism was tried, but this proving unsuccessful, and Howe's capacity and possibilities becoming each day greater, the leading spirits of the governing class became desperate. It has been mentioned that in 1840, after the resolutions had passed asking for the recall of Sir Colin Campbell, public meetings were held in Halifax and elsewhere in the province to discuss this burning question. At one of these meetings Johnston made a speech of considerable length and importance, which Howe had no opportunity of answering on the spot. He replied to it in two stinging letters addressed to the people of Nova

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Scotia, and in these he arraigned the existing irresponsible system of government, the high salaries which were paid to the chief justice, Sir Rupert D. George and others, and plainly intimated that if these gentlemen were to give up their positions, they could be filled on more moderate salaries by men of equal if not greater capacity. The publication of these letters promptly evoked a challenge to Mr. Howe. It may be mentioned that his first invitation to an affair of honour had come two years previously from Doctor Almon, who was then just beginning to practice in Halifax, who afterwards became a senator and died but a few years ago, and who was well known all his life for his somewhat extreme views on many questions. This matter was disposed of without a meeting. So far as can be gathered, young Almon was unable to obtain any leading man to act for him in this proposed affair. But after the publication of the letter to the people of Nova Scotia, Mr. John C. Halliburton (son of the chief justice, Sir Brenton Halliburton) believing his father to have been insulted in this letter, sent a formal challenge to Howe, which was promptly accepted, his old and staunch friend, Herbert Huntington, undertaking to act for him and be his second in the duel. It may seem strange at this time that any public man would think of risking his life on the so-called field of honour in this country, and the long years that have intervened since then have so far wrought

CHALLENGED TO A DUEL

a change in public opinion, that anything of the kind would be considered preposterous at this date; but in 1840 duelling had not entirely disappeared in Halifax, and Howe felt it his duty to accept. Fortunately, we have on record his own words of justification and a full analysis of all the incidents which seemed to make the step necessary, in a letter written to his sister shortly after the event, which will be read not without interest at this present time:—

“Your long letter only confirmed my apprehension that you would be startled and worried by the duel. I fully appreciate all you said, and enter into your feelings—but nobody but myself could exactly understand the requirements of my position, and, constituted as society is, the almost imperative necessity there was for my taking the step. Providence, in this case, mercifully preserved me, for which, I trust, I shall never cease to be thankful, and strengthened my hands by the very means which were taken to disturb me. For my own part, I hate and detest duelling as much as you do—as much as anybody can. A person who engages in it lightly must be a fool—he who is fond of it must be a villain. It is a remnant of a barbarous age, which civilization is slowly but steadily wearing away, but still it is not worn out. There are perhaps three views taken of duelling by three large classes of persons at the present day—the religious people view it with abhorrence, as an ordeal in which there

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is no justice and by resorting to which the express commands of the Deity are violated—the fashionable, those who fancy themselves possessed of a more elevated station in society than the rest of their fellow-creatures, and who believe that they have higher notions of honour and a monopoly of courage and fine feeling, cherish and boast of this institution as one peculiarly their own, although they have no more real affection for it than their neighbours—while the great body of the people, those who settle their own differences with fists, sticks and horsewhips, while they seldom resort to the pistol, are yet admirers of personal intrepidity in all its forms, and rely with more affectionate attachment upon a leader in the senate or the cabinet, if assured that he is fit to lead them in the field. My own belief is that there are situations which try the moral courage more severely than duelling. So far as my experience goes I would rather stand a shot than go through the ‘rescinding of the resolutions,’ the ‘libel trial,’ or the moving of the ‘address of censure.’ On either and all these occasions there was more at stake than a limb as far as I was concerned—more than a life as regarded the country, and I suffered a thousand times more than on the morning I went out with Halliburton. Indeed that affair was done with as much coolness as any other piece of business. I had been long impressed with the conviction that it would have to be done with somebody, at some

LETTER TO HIS SISTER

time, and had balanced the pros and cons and regarded the matter as settled. So long as the party I opposed possessed all the legislative influence they did not much mind my scribbling in the newspapers—when I got into the House they anticipated that a *failure* there would weaken my influence as a political writer, and believing I would fail, were rather glad than sorry. When, however, they found I not only held my own, against the best of them, but was fast combining and securing a majority upon principles striking at the root of their monopoly, they tried the effect of wheedling, and, that failing, resorted to intimidation.

“For the first two sessions Uniacke’s bearing and speeches were most insolent and offensive. I let him go on for some time, till the House was satisfied that he had earned a dressing, and then curried him down once or twice to his own surprise and that of his friends, who expected that he would have challenged me. He did not, however, although I fully expected it. He saw I was determined, was satisfied and altered his tone. Another member of the party was annoyed at a speech I made two or three years ago and demanded an apology. I consulted Dodd who was an old hand at such work; we handed the parties the reporter’s notes of the speech and refused to apologize for a word of it. The gentleman, finding we were not to be bullied, thought fit to be satisfied. Winter before last, young Dr. Almon called me out—his father abused

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me in the council and I skinned him in the House. This was easily disposed of. . . .

“Thus stood matters when Halliburton’s message came. To him I could not object. Though younger than me and having neither any family nor political party depending on him, still he was in the situation of a gentleman and had a right to make the demand. Had I ever been out with anybody I would at once have refused or explained—because in fact there had only been a fair comparison of different classes, and no insult in the matter; but feeling assured that he could not draw back, and that if I did it would subject me to repeated annoyances from others, and, perhaps, either weaken my position as a public man, or compel me to shoot some fellow at last, I selected a friend whom I knew would go through with it if necessary. He did his best to prevent it, but the thing had to be done, and all is well that ends well. I never intended to fire at him and would not for ten thousand pounds—all that was necessary was for me to let them see that the Reformers could teach them a lesson of coolness and moderation, and cared as little for their pistols, if anything was to be got by fighting, as for their arguments and abuse. I know you will say that the risk was greater than any advantage would justify—morally speaking it was—politically, there were strong temptations and among them the one which I know you will prize the highest was the perfect

THE DUEL

independence I received to explain or apologize—to fight or refuse—in future. A proof of the advantage gained in this respect was shown a fortnight ago. Sir Rupert D. George being annoyed at a passage in the first letter to the solicitor-general, sent John Spry Morris to me with a challenge. My answer was, ‘that never having had any personal quarrel with Sir Rupert, I should not fire at him if I went out, and that having no great fancy for being shot at by every public officer whose intellect I might happen to contrast with his emoluments, I begged leave to decline.’ This I could not have done had he come first, but now, the honour was not equal to the risk—nothing was to be gained either for myself or my cause—they got laughed at and nobody blamed me.”

The meeting took place one morning in the spring of 1840 at a place in Point Pleasant Park near the old Tower. It had been arranged that the affair should come off at an early hour, and Howe and Huntington were upon the scene at the time appointed. Pistols were used and Halliburton fired first. Fortunately, he missed his aim. Howe, with that generous and chivalrous nature which always characterized him, discharged his pistol in the air and the affair was over. Mr. Howe asked Mr. Huntington to breakfast, and they went back from this exciting meet in a somewhat serious mood. Very little was said at the breakfast hour,

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and Mrs. Howe, remarking the unusual silence, asked: "What is the matter with you all this morning, one would think you had been to a funeral?" and then it was that Howe for the first time related to her the incidents which indicated that he had been much nearer to a funeral than she had suspected. On the day of the duel Howe wrote and left with Huntington four letters to be delivered in case anything serious should occur. Two were in respect of business matters and it is not necessary to refer to them. Of the other two, one was addressed to his wife, and the other to the people of Nova Scotia. These two letters will be read with sympathetic interest, not only by those who knew him and appreciated the tenderness of his nature, but by all those who respect under all conditions a brave and loving heart. To his wife he wrote:—

"The painful alternative of risking my life has been forced upon me, very unnecessarily, as I conceive, but in a way and from a quarter that it may not be put aside. You know my sentiments upon these matters and the view I take of all the obligations which my position imposes. If I fall, my will, made before going to England, will secure to you and the children all I am worth. Sell the Pearl, keep up the *Nova Scotian*, pay my debts and there will be a living for you all. I have written a line to Thompson and Arthur who will not do less than what is right. Confide in James who will be a

TO HIS WIFE AND COUNTRYMEN

father to you. I cannot trust myself to write what I feel. You had my boyish heart, and have shared my love and entire confidence up to this hour. Heaven and ourselves only know the pure pleasures of the past—the future, for you and my dear babes might well unman me, and would, did I not feel that without a protector you could better face the world, than with one whose courage was suspected, and who was liable to continual insult which he could not resent. God in His infinite mercy bless you. There shall be no blood on my hand. Yours till death, Joseph Howe.”

To the people of Nova Scotia he wrote:—“My friends,—During the political struggles in which I have been engaged, several attempts have been made to make me pay the penalty of life for the steady maintenance of my opinions. Hitherto Providence has spared my life, and without dishonour averted the necessity for an appeal to those laws which society has prescribed. This may not be the case always. Were my own feelings only to be consulted under the circumstances which may make the publication of this letter necessary, I might, and probably would, decline a contest, but well knowing that even a shadow of an imputation upon my moral courage, would incapacitate me for serving my country with vigour and success hereafter, I feel that I am bound to hazard my life rather than blight all prospects of being useful. If I fall, cherish the prin-

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ciples I have taught—forgive my errors—protect my children.”¹

Howe was a man of broad sympathies, and no class—especially the weak and helpless—failed to

¹Very soon after, Mr. Howe was challenged by Sir Rupert D. George. Fortunately, having given conclusive proof of his courage and sustained his position as a man of honour before all the world, he was able to dispose quickly of Sir Rupert’s challenge. The correspondence is furnished on account of the interest which these illustrations of the type of the age will afford :—

Sir Rupert D. George’s challenge :—

“Sir,—I called at your house with the intention of delivering the enclosed note from my friend Sir Rupert George, but finding you out have been obliged to send it under cover. I have only to request on his behalf that you will appoint a friend to make the contemplated arrangements as early as possible. I shall be at the Exchange Reading Room until six o’clock and again at half-past seven. I am, Sir, your obedient humble servant, John Spry Morris.—April 24th, 1840.”

Enclosure :—

“Joseph Howe, Esq.—Sir : I have read your letter to the people of Nova Scotia and considering your observations with respect to myself to be insolent and offensive, I have requested my friend, Mr. Morris, to make the arrangements that have become necessary for the settlement of the affair between us. Your most obedient servant, Rupert D. George.—24th April.”

“John Spry Morris, Esq.—Sir : Your note of this day’s date, covering one from Sir Rupert D. George, has just reached me, and in reply to both I have to state that I see no occasion for my consulting any friend upon the subject of them, but at once, and without any hesitation, decline the hostile meeting to which they point.

“Having never had any personal quarrel with Sir Rupert George, I should certainly not fire at him if I went out, and I have no great fancy for being shot at, whenever public officers, whose abilities I may happen to contrast with their emoluments, think fit to consider political arguments and general illustrations ‘insolent and offensive.’ I am, sir, your obedient, humble servant, Joseph Howe.”

INDIAN RIGHTS

receive his generous consideration. When he entered political life the Indians of Nova Scotia were a quite neglected race. The Indians in the province were not numerous and consisted of one tribe, the Micmacs. In laying out Crown lands, reservations had been made for them, but no one had been appointed to see that their rights were respected, or to assist them in any way in acquiring the rudiments of an education, or to encourage them in giving up a nomadic life and making permanent settlements by building houses and cultivating lands. In 1841, soon after Howe's admission to the executive council of Lord Falkland, he addressed to that nobleman a long and able letter setting forth the condition and needs of the Micmac race in the province. Lord Falkland's response to this was the appointment of Howe as a special Indian commissioner, and an appropriation of money was made to enable him to give aid and encouragement to the Indians.

Howe devoted a great deal of attention to the discharge of this work. He obtained data in respect to Indian reserves in the Crown lands' office. He had correspondence with not only the chiefs of the Indian tribes, but clergymen and others, chiefly Catholic priests who were interested in the Indian tribes in their vicinity. In the autumn of 1842 he made a tour of the province, visiting every Indian reserve and Indian camp from one end of the province to the other.

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In the Nova Scotia archives a fairly good sized volume is preserved in manuscript, mostly in Howe's own handwriting, containing a detailed statement of all his labours and efforts on behalf of the Indians, and it affords extremely interesting reading. He appeared to enter with warm sympathy into the cause of the Micmac and he seems to have been wonderfully successful in winning his way into their confidence and regard. One passage from his report will serve to illustrate how broad were his sympathies and how easily he could adapt himself to the most unique circumstances:—

“A ride of ten miles further out on what is called the Liverpool road brought me to Charles Glode's farm. For the greater part of the way, though there is a struggling settlement of whites, this road is very indifferent, and for the last three miles there is only a wood path. As several lots had been laid off for Indians on my plan, I was in hopes to have found several families together. In this I was disappointed though some had chopped down a few acres. Either from the badness of the road, the distance from town, the stony character of the soil, or from all these causes combined, the others have strayed off to other places without making any perceptible improvement. I reached Glode's camp some time after dark. He was absent on a hunting expedition and I was compelled to throw myself on the hospitality of his two daughters, young girls of twelve and fifteen, who in that

VISITS THE INDIANS

remote situation, several miles from a habitation and surrounded by the wilderness, were left in possession of his worldly goods, and who, though the most perfect children of nature that I ever beheld, required some explanation and persuasion before they would lift the latch.

“Having won their confidence, watered and fed my horse, by the aid of birch bark torches, we got some herrings, potatoes and tea for supper. I spent a couple of hours in contrasting the not ungraceful but guileless simplicity of these young creatures with the active intelligence and prurient knowledge of things good and evil, so common among persons of the same age in the cultivated and more artificial state of existence I had left behind me.

“It was almost impossible to make conversation as we had so few topics in common and at last we lit a torch and fell to writing down Indian names with the corresponding English words, an exercise which seemed to interest my young friends very much.”

Of course Howe ceased to be Indian commissioner when he retired from Lord Falkland's council in 1843, but he always took a warm interest in the Indian population, and to most of them he was as great a hero as he was indeed to the fellow-citizens of his own race.

In 1854 a bill was introduced into the Nova Scotia legislature by Mr. Johnston to prohibit the importation, manufacture and sale of all intoxicating

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drinks. Such measures are now common in both the federal and provincial legislatures. Usually statesmen hedge upon them and dispose of them by various subterfuges. Howe was opposed to prohibition and met the issue squarely in a speech of wonderful boldness and rare eloquence, every word of which would be read with interest, but only a few passages of which can be given. These, at all events, show that Howe did not shirk the issue, notwithstanding that the legislature had been flooded with petitions, and considerable interest had been excited on the question. He said in part:—

“The world has come down to the present period, from the most remote antiquity, with the wine cup in its hand. David, the man after God’s own heart, drank wine. Solomon, the wisest of monarchs and of human beings, drank wine. Our Saviour not only drank it, but commanded Christians to drink it ‘in remembrance of Him.’ In strong contrast with our Divine Redeemer’s life and practice we hear of the Scribes and Pharisees, who drank it not—who reviled our Saviour as a ‘wine bibber,’ and the ‘companion of publicans and sinners,’ who would have voted for the Maine liquor law as unanimously as they cried, ‘Crucify Him.’ . . . So far as my reading extends, I may assert that every king, every statesman, every warrior who has illustrated the page of history, drank wine. The apostles who were the companions of our Saviour, drank it. The prophets, whose flights of inspiration still astonish us, we have

SPEECH ON TEMPERANCE

every reason to believe, drank it. Cicero and Demosthenes, and all the orators of antiquity and of modern times, indulged in the juice of the grape. Who can say how much of the energy which gave them such power of language was drawn from its inspiration? Have these men been eclipsed by the Dows and Kellogs of the platform? What orators has the state of Maine sent forth comparable with the Pitts, Burkes, Grattans, Foxes, and Sheridans of the British Islands, every one of whom drank wine? Let the learned gentleman glance at the noble structures—the architectural wonders that embellish Europe. Who reared them? Men of gigantic intellects whose common beverage was wine. Let his eye range through the noble galleries where the sculptors have left their statues; where the painters have hung in rich profusion the noblest works of art. Wine, we are told, clouds the faculties and deadens the imagination. Yet it was drunk by those benefactors of their race; and we cannot, with their masterpieces before us, believe the assertion, till their works have been eclipsed by artists trained up under this rigorous legislation. Has Maine turned out as yet a statue that anybody would look at; a picture that anybody would buy? Look at the deliverers of mankind; the heroic defenders of nations. Was Washington a member of the temperance society? Did not Wallace ‘drink the red wine through the helmet barred?’ Who will undertake to say that Bruce, on the morning on which

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he won the battle of Bannockburn,—that Tell, on that day when he shot the apple off his son's head, had not tasted a glass of whiskey or a stoop of wine?

“If then, sir, all that is valuable in the past—if heroism, and architecture, and oratory, sculpture and painting—if all that has bulwarked freedom and embellished life—has come down to us with the juice of the grape; if no age or nation has been long without it, I think it behöoves the advocates of this bill to show us some country where their system has been tried; some race of men who drank nothing but cold water.”

Allusion has been made to one visit of Mr. Howe's to the United States on an unpleasant mission and with unfortunate results, but it must be understood that he was not an infrequent visitor to American cities and was everywhere a welcome guest. In 1851 a great festival was held in Boston to celebrate the completion of railway communication with the West, and British America was represented by the governor-general, Lord Elgin, Mr. Hincks and Mr. Howe. The occasion was honoured with the presence of the president of the United States and some of the most eminent men in the union, including Edward Everett, Josiah Quincy and others. Howe spoke on behalf of British America in the same elevated strain which characterized all his speeches. He visited Boston again in July, 1857, and at the city cele-

TRIBUTE TO EVERETT

bration in Faneuil Hall, responded to the toast "The Queen of Great Britain," in the course of which he paid the following tribute to Edward Everett:—

"You are indeed fortunate in the possession of a man who gives to our land's language its strength unimpaired by the highest embellishment. The Indian draws from the maple the bow wherewith he kills his game, and the sap with which he sweetens his repast. Mr. Everett draws from the same large growth and cultivation, the arguments by which he sustains the great reputation and great interests of his country, and the honeyed accents which give to scenes like this the sweet cement of social life. The ancients

'Threw pearls of great price in their goblets of gold,
When to those that they honoured they quaffed.'

He melts into our cup the rich ingots of his imagination, and every man who listens to him is intellectually richer for the draught."

Another passage alludes to the relations between Britain and the United States:—

"England is no longer the harsh mother against whom that old indictment was filed. She is founding new provinces every day, training them in the practice of freedom and in the arts of life; and, when they are prepared for self-government, she does not force them into declarations of independence, but gracefully concedes to them the right to make their own constitutions, and to change and

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modify them from time to time. We North Americans may have had our grievances in the olden time. We may have had our own contests with besotted statesmen and absurd systems, but now we are as free as you. We govern ourselves as completely as any of your independent states. We have universal suffrage and responsible government. You may sometimes have to endure a bad administration for four years ; we can overthrow a bad one by a single resolution, on any day of the year when our parliaments are in session. Think of us then, as we really are, your equals in many respects ; your rivals, it may be, in all things honourable, but ever your brethren, your friends, your neighbours."

A little later Howe was a guest at the Democratic festival at the Revere House, and responded to a toast, "Our mother country," in a speech equally brilliant and pleasing.

In 1865 a great convention of the boards of trade and chambers of commerce of the United States was held at Detroit, to which representative men from all the cities of British North America were invited. The purpose of the convention was to consider the question of fiscal relations between the United States and British North America in view of the fact that notice had been given of the termination of the Reciprocity Treaty of 1854-66. It was one of the greatest gatherings of a commercial character that has taken place on this continent, and such eminent Americans as the Hon. Hannibal Hamlin, Vice-

SPEECH AT DETROIT

President of the United States, and from Canada such men as the Hon. Messrs. Holton, Flint, Gibbs, Buchanan, Leonard, Sir Hugh Allan, Peter Redpath; the Hon. Messrs. Fisher, Botsford and Steeves, of New Brunswick, and other eminent men from all parts of North America gathered together. Two resolutions were adopted by the convention. One was approving of the action of the United States in giving notice of the termination of the treaty, and the other was a resolution requesting the president of the United States to enter into negotiations with the government of Great Britain, having in view the execution of a treaty between the two countries for reciprocity of commercial intercourse between the United States and the several provinces of British North America, which should be just and equitable to both parties. Howe was one of the delegates from Halifax to this convention, and spoke upon this resolution. His speech so far excelled the other addresses that it became the one great feature of the convention, and the Detroit convention itself is remembered now chiefly on account of this address. It so impressed the delegates that at the conclusion of one of its finest periods, the vast gathering rose *en masse* and gave three cheers. He gave a clear statement of the incidents which had led to reciprocity, the mutual advantages which had accrued from its operation, and the special and superior advantages derived from its provisions by the

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people of the United States. He pleaded for a broad and generous policy in respect to this subject, but at the same time, in eloquent terms, he told the citizens of the United States that the people of British North America could never be lured from their allegiance or forced by any commercial pressure into an abandonment of their regard for the empire. The speech remains as one of the noblest expositions, by a statesman of either country, of the true relations which exist between the United States and Canada.

Prince Edward Island had, from almost its earliest settlement, suffered from the consequences of improvident grants of large areas of land to private holders, by which settlers were deprived of the titles to their lands and the country was kept in perpetual agitation on the question of land monopolies and quit rents. After much correspondence between the government of the island, the proprietors and the colonial secretary, it was at last arranged that the whole matter of difference between the proprietors and the tenants should be left to the arbitrament of three commissioners, one to be appointed by Her Majesty's government, one by the legislature of Prince Edward Island as representing the tenants, and the third by the proprietors. On the acceptance of this proposition by the legislature of Prince Edward Island, the Hon. Joseph Howe was unanimously chosen to represent the tenants on the commission. The Hon.

PRINCE EDWARD ISLAND

John Hamilton Gray, of New Brunswick, was appointed to represent the imperial government, and John W. Ritchie, Esquire, an eminent lawyer (and afterwards judge), of Nova Scotia, to represent the proprietors. These commissioners opened their court at Charlottetown on September 5th, 1860, and heard counsel representing the various parties, and took a large volume of evidence. They subsequently traversed the island from end to end, examining minutely into the circumstances and conditions of all portions of the province affected. They then made a report extremely full, and dealing in an exhaustive manner with every phase of the dispute, and made an award which should have been satisfactory to all parties concerned. It was satisfactory to the government and people of Prince Edward Island, and an act was at once adopted by the legislature of Prince Edward Island giving legal effect to the award. This act, however, was disallowed by the Crown, on the advice of the colonial secretary, upon whom must rest the responsibility of having, by a narrow and illiberal policy, postponed the settlement of this acute question for more than ten years.

CHAPTER XI

HOWE AND LITERATURE

THE public speeches and official acts of a statesman convey only a partial idea of his real character. In comparing Howe's speeches and public letters with those of other Canadian statesmen, it will be found that he has left behind him a volume of political literature in no way approached by the written remains of any one or any half-dozen public men who have exercised a commanding influence in moulding the institutions of Canada. It is quite true that a number of those engaged actively in public life have given more or less attention to matters of a literary character. The Hon. George Brown was a vigorous prose writer, but so far as is known, his writings were confined entirely to political topics. Sir John Macdonald has left on record a number of public letters of great interest, which reveal him as a man of enormous sagacity, of unfailing prudence, and with a clear mastery of the subject matter under discussion, but his most devoted admirers would scarcely regard his writings as literature, or anything more than the clear and careful exposition of existing political conditions at any given period. Mr. L. S. Huntington wrote a book or two and

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some poetry. Alexander Mackenzie wrote a life of George Brown, but it could hardly be called a successful biography nor did it reveal any special merit. David Mills wrote some poetry as well as prose. Sir Charles Tupper has contributed a few magazine articles on political topics, which are not at all unlike, in tone and substance, his speeches on similar topics. Of literary work, it could scarcely be claimed on his behalf that he has done anything. Sir John Thompson, Sir Georges Cartier, Mr. J. J. C. Abbott, and Sir McKenzie Bowell have contributed nothing beyond newspaper editorials to literature, nor indulged in any special writing, as far as is known, except that of a purely political type. Sir Wilfrid Laurier has certainly literary sympathies and has written some few charming articles, which betray a taste which gives great promise, but his time has been absorbed so fully in political work that there has been little scope for the cultivation of the muse.

Mr. Howe stands forth unique in this regard. His political writings are, of course, his best known work, and these embrace a variety of topics, so large and varied in their character as to put him in a class by himself among Canadian public men. He contributed the first and the last word upon the subject of colonial self-government, and was unquestionably the man who, above all others, enlightened the imperial authorities, and especially colonial secretaries, as to the true and only policy whereby the colonial possessions could be retained and made

VARIETY OF POLITICAL TOPICS

loyal and devoted to the empire. He was among the first of those who dreamed dreams of the consolidation and greatness of British North America, and no public man in Canada has ante-dated him in his great prophecy of 1851, that there were those within the sound of his voice who would live to hear the screech of the railway whistle in the passes of the Rocky Mountains. He stands almost first among those who conceived the great idea of imperial federation, and certainly no man has ever lived within the empire who has contributed such a wealth of knowledge, and such a breadth of conception to this subject as Joseph Howe. Indeed, if all that has been said within the last decade on this topic by all the statesmen within the British empire, were brought together, nothing more cogent, nothing more advanced would be found than in his "Speeches and Letters," published by William Annand in 1858. As long ago as 1838, Howe recognized the importance of a fast line of steam service between Halifax and Great Britain, and if all that has been said on the fast-line service since the day's of Howe were added together, there would be found nothing more advanced on the subject, nor anything said half so forcibly and eloquently, as when Howe dealt with the same topic.

If it be really important that Canadians should be loyal to the Crown and devoted to the empire, no public man born within this Dominion has con-

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tributed one tithe as much towards propagating and enforcing that principle as Joseph Howe. Indeed, his speeches and public letters on the great political topics which have concerned British North America and, in fact, the empire, constitute a body of literature which can be read with as much interest, profit and inspiration to-day as when they first appeared, and contain within them germs which cannot die, and which will seem fresh and inspiring to future generations.

But Howe's literary work was by no means confined to his political writings, though no man engaged in public life in British North America had more exacting political duties cast upon him. It was his business, almost single-handed, to educate a province, both by his pen and by his personal presence. He frequently held office, and even when not in office was the centre, soul and rallying point of his political party, and yet he found time amidst these exciting duties to write a great deal, both in prose and poetry. In Halifax he became at an early period of his career, in spite of the strong political feeling that existed, the indispensable man on all great occasions. In 1849 Halifax celebrated the hundredth anniversary of its foundation by Cornwallis, and on that occasion Howe composed the words of a song, now familiar enough, which still vibrates with the emotion with which he wrote it:—

All hail to the day when the Britons came over,
And planted their standard, with sea-foam still wet.

THE FLAG OF OLD ENGLAND

Around and above us their spirits will hover,
Rejoicing to mark how we honour it yet.
Beneath it the emblems they cherished are waving,
The Rose of Old England the roadside perfumes ;
The Shamrock and Thistle the north winds are braving,
Securely the Mayflower blushes and blooms.

CHORUS.

Hail to the day when the Britons came over,
And planted their standard with sea-foam still wet,
Around and above us their spirits will hover,
Rejoicing to mark how we honour it yet.
We'll honour it yet, we'll honour it yet,
The flag of Old England ! we'll honour it yet.

In the temples they founded their faith is maintained,
Every foot of the soil they bequeathed is still ours,
The graves where they moulder, no foe has profaned,
But we wreath them with verdure, and strew them with flowers
The blood of no brother, in civil strife pour'd,
In this hour of rejoicing, encumbers our souls !
The frontier's the field for the Patriot's sword,
And curs'd be the weapon that Faction controls !

CHORUS—Hail to the day, etc.

Then hail to the day ! 'tis with memories crowded,
Delightful to trace 'midst the mists of the past,
Like the features of Beauty, bewitchingly shrouded,
They shine through the shadows Time o'er them has cast.
As travellers track to its source in the mountains
The stream, which far swelling, expands o'er the plains,
Our hearts, on this day, fondly turn to the fountains,
Whence flow the warm currents that bound in our veins

CHORUS—Hail to the day, etc.

And proudly we trace them : No warrior flying
From city assaulted, and fanes overthrown,
With the last of his race on the battlements dying,
And weary with wandering, founded our own.
From the Queen of the Islands, then famous in story,
A century since, our brave forefathers came,

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And our kindred yet fill the wide world with her glory,
Enlarging her Empire and spreading her name.

CHORUS—Hail to the day, etc.

Ev'ry flash of her genius our pathway enlightens—
Ev'ry field she explores we are beckoned to tread,
Each laurel she gathers, our future day brightens—
We joy with her living and mourn for her dead.
Then hail to the day when the Britons came over,
And planted their standard, with sea-foam still wet,
Above and around us their spirits shall hover,
Rejoicing to mark how we honour it yet.

CHORUS—Hail to the day, etc.

• On another notable public occasion he stirred every patriotic heart in his country by another poem of no less fire and merit, entitled:—

OUR FATHERS

Room for the Dead ! your living hands may pile
Treasures of Art the stately tents within ;
Beauty may grace them with her richest smile,
And Genius there spontaneous plaudits win.
But yet, amidst the tumult and the din
Of gathering thousands, let me audience crave :—
Place claim I for the Dead—'twere mortal sin
When banners o'er our Country's treasures wave,
Unmarked to leave the wealth safe garner'd in the Grave.

The Fields may furnish forth their lowing kine,
The Forest spoils in rich abundance lie,
The mellow fruitage of the cluster'd Vine
Mingle with flowers of every varied dye ;
Swart Artizans their rival skill may try,
And, while the Rhetorician wins the ear,
The pencil's graceful shadows charm the eye,
But yet, do not withhold the grateful tear
For those and for their works, who are not here.

Not here ? Oh ! yes, our hearts their presence feel
Viewless, not voiceless, from the deepest shells

OUR FATHERS

On memory's shore harmonious echoes steal,
And names, which, in the days gone by, were spells,
Are blent with that soft music. If there dwells
The spirit here our Country's fame to spread,
While ev'ry breast with joy and triumph swells,
And earth reverberates to our measured tread,
Banner and wreath will own our reverence for the Dead.

Look up, their walls enclose us. Look around,
Who won the verdant meadows from the sea?
Whose sturdy hands the noble highways wound
Through forests dense, o'er mountain, moor and lea?
Who spanned the streams? Tell me whose works they be,
The busy marts where commerce ebbs and flows?
Who quelled the savage? And who spared the tree
That pleasant shelter o'er the pathway throws?
Who made the land they loved to blossom as the rose?

Who, in frail barques, the ocean surge defied,
And trained the race that live upon the wave?
What shore so distant where they have not died?
In ev'ry sea they found a watery grave.
Honour, forever, to the true and brave,
Who seaward led their sons with spirits high,
Bearing the red-cross flag their fathers gave;
Long as the billows flout the arching sky,
They'll seaward bear it still—to venture or to die.

The Roman gather'd in a stately urn
The dust he honour'd—while the sacred fire,
Nourish'd by vestal hands, was made to burn
From age to age. If fitly you'd aspire,
Honour the Dead; and let the sounding lyre
Recount their virtues in your festal hours;
Gather their ashes—higher still, and higher
Nourish the patriot flame that history dowers,
And, o'er the old men's graves, go strew your choicest flowers.

His lectures before the Mechanics' Institute in
Halifax, some of which, fortunately, have been
preserved, may still be admired for their wealth of

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patriotic sentiment, and their genuine eloquence. Two of these are especially notable, one on the "Moral Influence of Women," and the other on "Eloquence."

When the tercentenary of Shakespeare was celebrated in Halifax in 1864, every one turned to Joseph Howe to deliver the oration on the occasion, and among the many splendid tributes which the most gifted minds throughout the empire laid at the feet of England's and the world's greatest poet, few surpassed in purity of diction and warmth of eulogy the oration delivered by Joseph Howe. It has been already mentioned that while yet a boy he composed a poem on Melville Island, and those who will care to read it in the published volume of his poems will see that it reveals a poetical gift which would do no discredit to a poet of maturer age. His most ambitious poem was entitled "Acadia," but was never finished, although it fills some hundreds of lines and is extremely beautiful from beginning to end. Many of his best verses were the fruits of happy inspiration in going from place to place throughout Nova Scotia. It has been mentioned that he was fond of riding over many portions of the province on horseback, and by this means he became acquainted with many families, among whom he was always a welcome and revered guest. On one occasion, while visiting a political friend, Mr. Eaton, in Cornwallis, he drove in the autumn to the beautiful Gaspereau Valley, and on his way observed

THE DESERTED NEST

a deserted nest that hung shelterless on a tree. This evoked the following stanzas:—

Deserted nest, that on the leafless tree,
Wavest to and fro with every dreary blast,
With none to shelter, none to care for thee,
Thy day of pride and cheerfulness is past.

Thy tiny walls are falling to decay,
Thy cell is tenantless and tuneless now,
The winter winds have rent the leaves away,
And left thee hanging on the naked bough.

But yet, deserted nest, there is a spell
E'en in thy loneliness, to touch the heart,
For holy things within thee once did dwell,
The type of joys departed now thou art.

With what assiduous care thy framers wrought,
With what delight they viewed the structure rise,
And how, as each some tiny rafter brought,
Pleasure and hope would sparkle in their eyes.

Ah! who shall tell when all the work was done,
The rapt'rous pleasure that their labours crown'd,
The blissful moments Nature for them won,
And bade them celebrate with joyous sound.

A Father's pride—a Mother's anxious care,
Her flutter'd spirits, and his gentlest tone,
All, all, that wedded hearts so fondly share,
To thee, deserted nest, were surely known.

Then though thy walls be rent, and cold thy cell,
And thoughtless crowds may hourly pass thee by,
Where love, and truth, and tenderness did dwell,
There's still attraction for the Poet's eye.

It was in no small measure due to Howe's efforts that the mayflower (trailing arbutus) became generally recognized as the floral emblem of the province, and Nova Scotians everywhere were charmed by the appearance of the poem in

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which in fitting terms he celebrates the beauties of this modest floweret:—

Lovely flow'ret, sweetly blooming
 'Neath our drear, ungentle sky—
Shrinking, coy and unassuming,
 From the gaze of mortal eye.
On thy bed of moss reposing,
 Fearless of the drifting snow,
Modestly thy charms disclosing,
 Storms but make them brighter glow,
Spring's mild, fragrant, fair attendant,
 Blooming near the greenwood tree,
While the dew-drop, sparkling, pendant,
 Makes thee smile bewitchingly.
Oh! I love to look upon thee,
 Peeping from thy close retreat,
While the sun is shining on thee,
 And thy balmy fragrance greet.
View exotics, proudly growing
 On the shelter'd, mild parterre,
But, if placed where thou art blowing
 Would they bloom and blossom there?
April's breeze would quickly banish
 All the sweets by them display'd,
Soon each boasted charm would vanish,
 Every cherish'd beauty fade.
Scotia's offspring—first and fairest,
 Nurst in snows, by storms caress'd
Oh! how lovely thou appearest
 When in all thy beauty dress'd.
Red and white, so sweetly blending,
 O'er thy fragrance throw a flush
While beneath the dew-drop bending,
 Rivall'd but by beauty's blush.
Welcome, little crimson favour,
 To our glades and valleys wild,
Scotia ask'd, and Flora gave her,
 Precious boon, her fairest child.



RESIDENCE OF THOMAS CHANDLER HALIBURTON, WINDSOR, N.S.

From an engraving in the John Ross Robertson collection

HOWE AND HALIBURTON

On social occasions Mr. Howe not infrequently contributed poetic toasts. During most of their lives Mr. Howe and T. C. Haliburton (Sam Slick), were friends and boon companions. Haliburton was somewhat older than Howe and had left public life before Howe entered it, but they were often thrown together socially. Haliburton, by assiduous devotion to literary work, has secured a conspicuous place among the humourists of America. He was not regarded in his day as a very great man, but he was eminently jovial, and at all convivial occasions brimful of wit and bad puns. Howe had infinitely superior intellectual qualities, and indeed finer literary tastes, but his duties as a politician precluded his giving the same attention to literary work. Ultimately Haliburton left the Bench and moved to England, where he obtained a seat in the House of Commons. On one of the convivial occasions in Halifax after Haliburton's departure, Howe proposed his health in the following toast:—

Here's a health to thee, Tom, a bright bumper we drain
To the friends that our bosoms hold dear,
As the bottle goes round, and again and again
We whisper "we wish *he* were here."

Here's a health to thee, Tom, may the mists of this earth
Never shadow the light of that soul
Which so often has lent the mild flashes of mirth
To illumine the depths of the Bowl.

With a world full of beauty and fun for a theme,
And a glass of good wine to inspire,
E'en without thee we sometimes are bless'd with a gleam
That resembles thy spirit's own fire.

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Yet still, in our gayest and merriest mood
Our pleasures are tasteless and dim,
For the thoughts of the past, and of Tom that intrude,
Make us feel we're but happy with him.

Like the Triumph of old where the *absent one* threw
A cloud o'er the glorious scene,
Are our feasts, my dear Tom, when we meet without you,
And think of the nights that have been.

When thy genius, assuming all hues of delight,
Fled away with the rapturous hours,
And when wisdom and wit, to enliven the night,
Scatter'd freely their fruits and their flowers,

When thy eloquence played round each topic in turn,
Shedding lustre and light where it fell,
As the sunlight in which the tall mountain tops burn,
Paints each bud in the lowliest dell.

When that eye, before which the pale Senate once quailed,
With humour and deviltry shone,
And the voice which the heart of the patriot hailed,
Had mirth in its every tone.

Then a health to thee, Tom, every bumper we drain
But renders thy image more dear,
As the bottle goes round, and again and again,
We wish, from our hearts, you were here.

It has been mentioned that Howe very nearly became the editor of the New York *Albion*. He contributed some very delightful articles to that publication, one of them a vivid pen and ink sketch of Daniel O'Connell, whom Howe had met in London, and another entitled "The Locksmith of Philadelphia," which, though indeed a simple story, yet nevertheless possesses in a degree the style and quality which have made the "Vicar of Wakefield" an immortal book. Had Howe taken

A VISIT TO HOWE

the editorial chair of the *Albion* instead of embarking in the anti-confederate campaign of 1867, he might have lived longer and had an opportunity of making contributions to literature which would have given him a not undistinguished place among the literary men of the age.

The writer spent an afternoon with Mr. Howe in the autumn of 1872, about six months before his death. Howe had been spending a fortnight at the house of his daughter, Mrs. Cathcart Thomson, on the shores of the North West Arm. As I entered the room I noticed he had three bundles of papers, one containing his poems, which have subsequently been published, another containing his fugitive prose writings, and another, much larger, his political correspondence with eminent men throughout the empire. He had been devoting most of his time to endeavouring to cull the most important of his papers from the great mass and classify them. He said that he had been devotedly fond of literary work throughout his life, and it was a matter of the keenest disappointment that his political duties had robbed him of the time essential to pursue his cherished aims. He hoped that by some good fortune leisure would soon be afforded him during which he could carry out his literary projects. The promised leisure came the following May, when he was appointed governor of Nova Scotia, but, alas, his health was broken, and but a short period was to be allotted to him for fulfilling these literary

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aims. This is a matter for sincere regret since a volume of Howe's reminiscences of men and things would have constituted as delightful reading as could well be imagined. His letters to his wife and members of his family, while absent from home, especially in the old country, are full of delightful descriptions of persons he was meeting and of interesting incidents, political and otherwise, which were occurring about him, but after all, these are not the passages from his letters which the world would cherish most, if indeed they were available for publication. The tone of tender affection for his family, and the devotion for Nova Scotia which breathes in them all would be the most splendid tributes to the great and noble soul from which they flowed.

CHAPTER XII

HOWE'S SOCIAL QUALITIES

IT is much easier to picture a great man in his public capacity, to report his speeches, to dramatize his actions, to reproduce his sentiments in relation to matters of public concern than it is to portray his personal characteristics in his every day life. In Mr. Howe's case, these constitute such an interesting and striking phase that one seems baffled in the attempt. A more delightful personality could scarcely be imagined. Although occupying prominent official positions most of his life, Howe was absolutely free from the conventional pose of an official personage. When not actively employed in public duties, (and no one led a busier life, made more speeches, wrote more articles, attended to more official routine,) he was not happy for long without congenial companionship. Did he leave the provincial secretary's office some afternoon at four, it was to seize upon a congenial friend and take a long ramble, telling stories, cracking jokes, or indulging in poetic outbursts; or, again, seeing a good, fat, Irish ward-politician near, he would, in a most genial manner, take him by the arm and whisper that he was greatly perplexed with some important matter of public policy

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and was earnestly desirous of having his advice. He would then gravely unfold the situation and hold earnest converse with his Hibernian friend, luring him into precisely the view of the situation which he himself desired to adopt, and, finally, leave him with a warm pressure of the hand with the impression upon his mind that he was himself playing an important part in the government of the country and that Joe Howe was the boy who knew how to do things.

Picture a great Liberal demonstration held in one of the country districts of Nova Scotia to celebrate some electoral victory—large crowds gathered in a spacious field with baskets of provisions and little family picnics in all quarters. At last a team drives up with four spirited grey horses, decorated with the Liberal colours, and in a large and handsome carriage sit the Hon. Messrs. Young, Archibald, Annand, McCully, Weir and Howe. As they alight, the leading men gather round and are presented one by one to these distinguished statesmen. Messrs. Young, Archibald, etc., in a dignified posture, remain in a group to receive their friends and admirers in a manner befitting their high official station. Where is Howe? In an instant he is flying among the crowd, speaking to every woman he knows, probably calling her by her christian name. At one moment he has the charming Mrs. Smith upon his arm, perfectly happy to be thus honoured by the great Joe Howe, but in five

A TYPICAL SCENE

minutes he has reached Mrs. Brown, another admirer, and by some subtle process not quite easy to describe, Mrs. Brown is seen smiling and happy leaning upon Mr. Howe's arm, until, indeed, the delightful Mrs. Jones is seen, whereupon, by a similar process, Mrs. Jones is likewise revelling in the rapture of a stroll with Mr. Howe. The other dignitaries are entertained at luncheon in a special tent provided for this purpose. Is Howe there? Not a bit of it. He is lying on the ground taking his picnic with the Robinsons with an admiring circle from the other families gradually gathering about him. When the time for speaking arrives, the chairman is conducting Messrs. Young and company, in fitting form, to the platform, which has been erected and festooned for the occasion. Where is Howe? With a cigar in his mouth, flying about, arranging that all the best seats near the platform are filled with his lady friends, and this lasts until, finally, he is captured and himself conveyed to the platform and planted among the distinguished speakers. Solemn discussions of the great public questions ensue in speeches by Messrs. Young, Archibald and McCully, but when Joe Howe is upon his feet everybody is on the *qui vive* for they know that some delightful bit of humour will characterize his opening remarks, and then they look for an outburst upon the local scenery and historical memories of the place. When at last the period comes, when, throwing back his coat, he

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begins to dwell upon public affairs, the heart of every man, woman and child in the vast audience thrills with the magnetic home-made eloquence, which falls naturally and gracefully from his lips.

Again, fancy him entering one of the innumerable homes he was accustomed to frequent in his constant rambles over the province. The moment he was inside the door, he would fling his arm round the wife and salute her with a hearty kiss. If there were any grown up girls in the house, they were submitted to the same salutation. If, in their modesty, they ran away, they were chased and pursued until they were captured and kissed, and this was Howe's almost invariable custom for thirty years. Once in the family circle, all dignity was laid aside and every moment was occupied with delightful and entertaining conversation. He told stories to the children and entertained the grown ones by incidents of his travels, and anecdotes of every kind which had occurred during his varied experiences in the world.

In this way he became a domestic personality in hundreds, if not thousands of homes in Nova Scotia. Women were absolutely devoted to him, and taught their children to regard him as a hero. If death came to any household with which he was thus closely linked, there promptly came a beautiful letter from Howe (and who could write such letters?), full of sympathy and consolation. And these, we may be sure, were not written for dramatic effect,

AN AFFECTIONATE NATURE

but because his own heart was warm and his own great soul sympathized with sorrow in every form. His private correspondence with his wife and children reveals a warmth of affection and tenderness of soul rarely found in the correspondence of any of the world's heroes whose letters have seen the light.

To old men who had been associated with his early struggles, Howe was especially devoted. In his wanderings over the province he never passed by a house in which an old friend lived, without entering and talking to him in the most affectionate terms. In 1868 when he was travelling through the western part of Nova Scotia, he entered the house of an old man who had passed his eightieth year and was confined by age and infirmity to his easy chair by his fireside. He had been one of Howe's devoted friends in early days. Howe sat down beside him, talked in loving terms of their old associations, and on rising to leave him, kissed his furrowed cheek, down which could be seen rolling tears of affectionate and grateful appreciation. With such incidents as these, a matter of almost every day occurrence, is it any wonder that he became in a peculiar degree, and in a sense, quite different from that which pertains to the average public man, the idol and hero of thousands of Nova Scotians, became, indeed, a distinct figure in the public mind, and a living, breathing personality in the public imagination? Johnston, Young and

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Tupper could be mentioned with a fitting sense of provincial pride, and at a later date after confederation Sir John Macdonald, Blake, Mackenzie, Laurier and Thompson evoked the respect and admiration due to eminent men who were dedicating their lives and energies to the public service. But people thought of Joe Howe in a different sense. He was part and parcel of the daily life and thought of the people, woven into the very woof of their existence.

A bitter day came to many devoted friends of Mr. Howe in 1869, when, for reasons which have been amply set forth, he felt it necessary to accept confederation and take a seat in the government of Sir John Macdonald. The antipathy to confederation at that time was very intense. The method by which it had been forced upon the country in defiance of the popular will, had aggravated the bitterness, and coming so soon after the splendid victory of 1867, Howe's action bore the semblance, in the popular mind, of desertion and treason. The old veterans who had for thirty years fought under Howe's banners, and loved him as a brother, were forced, with bitterness of heart, to cast him from them as one who had betrayed their cause. In his goings to and fro in the province in the latter part of 1868, he was met by many cold looks, and some lifelong friends refused to give him their hand, and it can easily be imagined how keen and poignant would be the pain which this would cause

HOWE'S INFLUENCE

to a warm and sensitive nature. If there was one yearning desire ever present in Howe's heart, it was that he should maintain the love and confidence of his fellow-countrymen. In his speech at Windsor at the first meeting after he had taken office in 1869, he referred at the close of his address to the fact that it had been charged upon him that he had deserted his principles and entered the government from ambition. Throwing back his coat in the old familiar way, he uttered these passionate words:—

“Ambitious, am I? Well, gentlemen, I once had a little ambition. I was ambitious that Nova Scotia should have a free press and free responsible government. I fought for it and won it. Ambitious! am I? Well, gentlemen, an old man at my time of life can be supposed to have but little ambition. But, gentlemen, I have a little ambition, I am ambitious that when, in my declining years, I shall ride up and down the length and breadth of Nova Scotia, I may receive the same sympathy, confidence and love from her sons as in days gone by I received from their sires.”

No public man that ever lived in British America and few that have ever lived in the world, within the range and sphere in which they moved and acted, exercised such a far-reaching influence upon the people within the circle of their influence as Joe Howe. To his impulses may be traced the race of clever men whom Nova Scotia has contributed to the public life of Canada, and not alone to public

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life, but to the literary and intellectual life of the country. From the period at which Howe was at the zenith of his power until after his death a great number of the brighter Liberals were insensibly imitators of his style and manner. The familiar gestures which were so characteristic were seen reproducing themselves in many young men who were mounting the political platform and essaying to influence the world with their oratory. It is impossible to estimate the number of young men in Nova Scotia whose breasts were stirred to honourable ambition by the writings and speeches and the personal influence of Joseph Howe. When he left his party, if indeed his action can be so characterized, in 1869, some of those who had been his lifelong admirers and imitators were among those who went to Hants county to confront him on the platform during his campaign, and it was not far from ludicrous to see young lawyers, whose eloquence had been fashioned in Howe's school, actually hurling their thunder bolts at the old man's head, with gestures and intonations which had been aptly borrowed from their former hero. These small lights were seeking to destroy their old master by the inspiration which they had drawn from his breath.

Howe had an inordinate and undying love for the beautiful and picturesque, and as he went abroad in Nova Scotia, he sought in every way to inspire a taste for the æsthetic among the people.

LOVE OF NATURE

For trees especially he had a great love. It is related that on one occasion when passing along the road near Truro, he saw a farmer beginning to cut down a beautiful row of willows which grew by the roadside in front of his house. Howe was shocked, jumped from his carriage and expostulated. The farmer replied that he could sell them and he needed the money. Howe said: "What will you take to let them stand?"

"Oh, I suppose five pounds," answered the farmer, and Howe instantly drew from his purse the five pounds, and those who travel in the vicinity now can see to this day the beautiful row of trees still standing.

In religion, Howe was absolutely free from sectarian prejudices or denominational influence. His father belonged to a sect called Sandemanians, or Glassites, who held somewhat peculiar views, accepting the Bible as final authority, but being utterly opposed to an established church and a paid clergy. A small knot of these men, of whom Mr. John Howe was one of the leaders, used to gather together on Sundays for worship, and so strong was Mr. John Howe's prejudice against a paid clergy that, although naturally a man of generous instincts, he would refuse to remain in the same room with a salaried clergyman. As the result of his father's lack of denominational affiliations, Howe never united himself with any religious body nor could he be reckoned as an adherent of

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any particular religious sect. He was, nevertheless, a man of strong religious feelings. No man in his day studied the Bible more thoroughly and carefully than he, and he constantly expressed the opinion that its literature was among the finest and its truths the most sublime: Quotations from the Scriptures are found inwoven into his public utterances on all occasions. Howe's habit of going to the country and actually living in the fields for a week or ten days has been already mentioned. One of the places which he thus frequented was the house of a coloured couple named Deers, at Preston. One evening a Baptist minister happened to arrive at the Deers's house to remain all night. He details the fact that during the evening he got into free conversation with Howe and when the time came for bed the latter informed him that he had made a practice during his whole life of reading a passage from the Scriptures before going to bed. He got down the Bible for this purpose, and after he had finished reading, asked the minister to engage in prayer. But it is proper to add that Howe bore no general character for piety during his active political life. On the contrary, his duties brought him in contact with ward politicians and his convivial nature brought him boon companions at the festive board, and his reputation was that of a jolly good fellow. Those only who knew him intimately were able to appreciate the strong under-current of religious feeling which pervaded his

INTELLECTUAL INTERESTS

nature. During his life he usually went to church wherever he was, and it mattered to him not in the slightest degree whether the service was Roman Catholic, Episcopalian, Presbyterian, Baptist or Methodist. Mrs. Howe belonged to the Presbyterian faith and in Halifax Mr. Howe frequently attended church with her.

Howe was constantly endeavouring in Halifax to keep up some sort of interest in intellectual matters. It was very considerably by his personal influence that the Mechanics' Institute became a permanent and useful institution in the city, maintaining a course of lectures and literary discussions. Howe himself was a frequent contributor to the lecture course and a constant attendant of the other lectures, frequently moving the vote of thanks and imparting new life to the discussion by his happy observations. It is related that on one occasion when Mr. George R. Young had lectured before the institute, Mr. Howe, in the course of the general discussion which followed, made some remarks in a spirit of banter touching certain features of the lecture, which were not altogether pleasing to Mr. Young, who, in responding to the vote of thanks which had been accorded him, took occasion to say that he did not come to such occasions with stale jokes bottled up in his breeches' pocket; to which Mr. Howe on the instant remarked that no one was in a position to state what jokes Mr. Young carried bottled in his breeches' pocket,

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but all could bear testimony to the fact that *he never drew the cork!*

Mr. Howe had ten children, of whom only two, Mr. Sydenham Howe and Mrs. Cathcart Thomson, are now living.

CHAPTER XIII

CONCLUSION

AS has been stated, broken in health, and yet buoyant and hopeful, Howe was appointed governor of Nova Scotia in May, 1873. In a letter to a friend, written shortly before leaving Ottawa, he says:—

“The governorship I never had a doubt would be offered to me by my colleagues, nor did I ever distrust the widespread confidence and affection of my fellow-countrymen. What was very doubtful when I saw you in the autumn was whether I should live through the winter and be in any condition to discharge any official duties in the spring. Thanks to a kind providence, the doubt so far has been given in my favour. I have gone through three of the worst months of the winter without any serious recurrence of the dangerous symptoms which imperilled my life last year. We have still two months of winter to pass through, but thanks to my Boston physician, I know what to do if anything goes wrong, which, at present, I do not apprehend. Of course, no appointment will be made until General Doyle’s retirement, but, should I live, you will see me down in time to take the chair if it is vacant. There may be a little

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knot of people opposed to my appointment, but there is hardly one of them that does not know in his inmost soul that I have fairly earned the promotion by forty years of public service. What some of them are afraid of is that I will violate my own principles by treating them unfairly and pay them off for a good deal of gratuitous treachery and abuse. They will probably be mistaken in this as in everything else. No offer has ever been made to me of imperial favours. Certainly no honorary distinctions have ever been sought by me or desired."

Howe did not misjudge the attitude of some of the more bitter of the repealers, who, while most persons called and paid their customary respects at government house, on his appointment, remained away as a token of their displeasure at his alleged desertion of the repeal cause.

The days were quietly spent. Howe had hoped that the leisure which the governorship would afford him would enable him to devote some time towards gathering together his literary work, and to publish a record of his striking reminiscences. But this expectation was doomed to disappointment. June had just been ushered in, with its unfolding leaves and early blossoms, when suddenly the city was startled with the announcement that Joseph Howe was dead. Quickly the word was flashed over the province, and nothing could have been more touching or could illustrate more fully the supreme place which he occupied in the hearts

NEWS OF HIS DEATH

of the people than the tokens of profound grief and almost awe with which the news of his death was heard. Plain farmers in remote rural districts bowed in silence when told that Joseph Howe was dead. It was not because he occupied a position which would make his death precipitate a crisis ; he was not holding any place of power. For the previous four years he had not been conspicuously in the public eye, but he remained at all times enthroned in the hearts of his countrymen. Nor, indeed, was the feeling evoked that which ordinarily follows the death of a conspicuous and highly esteemed public man. It was rather the loss of a personality who had for more than a generation been associated with the everyday life and thought of the people of Nova Scotia. He had moulded to an enormous degree the thoughts and sentiments of the people. He was a living entity that had charmed them in every form and on a hundred different occasions. Scarcely a commonplace word had ever fallen from his lips. On whatsoever theme or occasion he spoke or wrote, the subject at once became illumined with a splendid imagination and a glowing warmth of soul which touched the heart at the same time that it captivated the intellect.

His funeral was attended by an immense concourse of people. His wife being a Presbyterian, the services were conducted by the pastor of one of the Presbyterian churches. Twenty thousand people lined the streets through which were carried the

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last mortal remains of Joseph Howe to repose in Camp Hill cemetery. His family, although possessing little wealth, erected a modest monument of plain Nova Scotia granite. The remains of lesser men than he have been deposited in Westminster Abbey, but it is fitting that the hero of popular rights should mingle his dust with the commonest of his countrymen. Thirty years passed by and no statue had been erected by his countrymen to immortalize his splendid career. Efforts had been made in this direction, but people who would willingly contribute to a monument for a champion oarsman were backward in subscribing to a statue for the greatest Nova Scotian. But at last the Nova Scotia legislature unanimously voted the sum of ten thousand dollars for this purpose, and a commission was appointed to secure its erection. In the autumn of 1904 a handsome monument was unveiled at the south end of the provincial building and in view of the provincial secretary's office, in which for years he sat and laboured and wrote. It must be mentioned to the credit of the provincial government of Nova Scotia that some years before the death of Howe's widow they voted her an annual pension of five hundred dollars. When his qualities are understood, when his great labours and achievements are appreciated, it is not unlikely that a statue not less imposing than any now standing, will be erected to perpetuate his name on Parliament Hill at Ottawa.

HIS WORK

Comparisons are unpleasant and generally needless. Viewing his forty years of public service justly and having regard to his speeches, his writings and his achievements, what other of the great men that British America has produced can be fairly placed in comparison with him? He did not attain such an eminent place in the public life of the Dominion as Sir John A. Macdonald, nor, perhaps, would he have been able, under similar conditions, to have guided the ship of state with the same consummate skill amid the various difficulties which surrounded the initial stages of welding together the somewhat heterogeneous elements which went to compose the Canadian confederation. Let due credit be given to each man in his own sphere for his special gifts and achievements, but among the gifted men whom British North America has produced, we cannot name one who has left behind such a body of political literature dealing so luminously with every great question which concerns both Canada and the empire, as remains to the perpetual credit of Joseph Howe. Nay, without presumption, may it not be fairly asked what British statesman that has lived and acted within the past sixty years has contributed as much to the solution of these great empire-reaching questions as can be found in the recorded utterances of Joseph Howe? Where among his contemporaries can be found a man who could throw such flashes of imagination upon every subject with which he attempted to deal, in

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the whole volume of whose writings and speeches scarcely a dull word or commonplace expression can be found? Who dreamed such dreams of his country's ultimate greatness and power? Who drew such mighty pictures of the possibilities pertaining to a union of the British races of all parts of the globe into one great empire? Where will we look in our country's history for such a striking personality that could captivate senates by his skill and eloquence, masses by his magnetic power, and intellectual bodies by his unrivalled powers of mind? In an age of timid opportunism he exhibited daily the qualities of a hero. He had the courage to leave the conventional ruts in which most public men are content to plod and to strike out into new fields, to brave dangers from which the average public man shrinks. Alone and almost single-handed he faced the power of a well intrenched autocracy in Nova Scotia, destroyed their power and gave his countrymen the boon of self-government. He was the foremost expounder and the greatest teacher of the true principles of colonial government of his age, and his great thoughts penetrated the cobwebs of official routine which surrounded the colonial office in Downing Street and gave birth to larger and better views.

Circumstances have much to do with a man's ultimate place in history. The same genius which could successfully manage the affairs of a province might suffice to manage successfully the affairs of an

SUBSEQUENT EVENTS

empire, and he who works in a small sphere may have a small place in history beside the man to whom fortune has consigned the larger arena. Most of Howe's life was spent in ministering to the well-being of a province that at his death numbered scarcely four hundred thousand souls. He lived to see the Canadian confederation launched, but at a period when it was too late for him to achieve the first position in it or to recognize the fruition of those splendid dreams which his imagination never failed to create. Thirty years have passed since he was laid at rest, and it is not too much to say that no one of the great ones who are permitted to participate in the vast expansion and development of this Dominion would have felt greater joy and pride in the realization than would Joseph Howe. To have British power established from the Atlantic to the Pacific in North America, to convert wildernesses into centres of industry and progress, to plant cities on plains where nothing but bears and buffaloes roamed, and to have great railway lines unlocking the resources of vast undiscovered territory were glorious visions which ever filled the heart of Joseph Howe. But to all these great hopes he, rightly or wrongly, as time will show, preserved the ideal of a united empire which has not yet been realized.

No one can estimate too highly the worth and value of a great man :—

“Canst thou bind the sweet influences of Pleiades, or
loose the bands of Orion?”

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His great thoughts, his heroic actions and his mighty achievements are not alone the heritage of his country, but the inspiration of the young men who are to carry forward its destinies. Every forward step which humanity has taken in the political, in the religious, scientific or social world has been under the guidance of some superior being who has, amid difficulty and danger, led the way. When Canada has achieved, as it is fast achieving, a recognized place among the puissant nations of the world, and the British empire has attained the dominance due to union and enlightened virtue, Joseph Howe will occupy a conspicuous niche among the authors and heroes of its glory.

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A

Mr. Justice Longley's description of the conditions in Nova Scotia at the time of Howe's entrance into political life hardly does justice either to the ability and integrity of the leaders of the official oligarchy, or to the social arrogance of their henchmen, or to the extent to which they controlled not only the political but also the economic life of the province.

The Council comprised the leaders in Church and State, among them the chief lawyers, business men, and bankers. They were shrewd and able, and in their practical measures not unprogressive. It is very doubtful whether either House of the Nova Scotia Legislature to-day contains men as able or with such a stake in the community as were S. G. W. Archibald, or T. C. Haliburton, or other Tory leaders of the oligarchic days. The difficulty in the situation lay not in any lack of ability, but in lack of sympathy with popular aspirations.

The leaders of the Council were also the leaders of Halifax "Society," and those who dined with them have testified to the excellence alike of their dinners and of the accompanying conversation. To them were added the government officials, who were usually appointed from England, and the officers of the British garrison. Of the officials some were men of honour and energy, but others were mere place-men in need of a job. Charles Buller, in his pamphlet *Mr. Mother Country of the Colonial Office*, hardly exaggerated when he said that "the patronage of the Colonial Office is the prey of every hungry department of our government.

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On it the Horse Guards quarters its worn-out general officers as governors; the Admiralty cribs its share; and jobs which even parliamentary rapacity would blush to ask from the Treasury are perpetrated with impunity in the silent realm of Mr. Mother Country. O'Connell, we are told, after very bluntly informing Mr. Ruthven that he had committed a fraud which would forever unfit him for the society of gentlemen at home, added, in perfect simplicity and kindness of heart, that if he would comply with his wishes and cease to contest Kildare, he might probably be able to get some appointment for him in the colonies."

Through some of its members the Council was also largely in control of the local banking, and could give or withhold credit. Early in the XIX century, before any bank had been established in Nova Scotia, the Government had issued notes, for the redemption of which the revenues of the province were pledged. In 1825 some of the more important merchants, no less than five of whom were members of the Council, founded a Bank, and issued notes payable in gold, silver, or provincial paper. Thus the state of affairs for some years was that there was but one bank in the province, that its notes were redeemable in provincial paper, and that the Council was largely composed of its directors, who could order the province to print as much paper as they wished.

The Halifax Banking Company, as this institution was called, was of great benefit to the business of the province, and there is no proof that its directors misused their dual position for either financial or political ends; but the situation inevitably bred suspicion, and in 1832 popular clamour forced the legislature to grant a charter to a second bank, the Bank of Nova Scotia. This company was from the first successful, but the Halifax Banking Company also continued to do a flourishing business, and during the struggle of Howe and his fellow-reformers against the

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Council, the financial and political influence of its partners was one of the chief causes of complaint.

B

As a result of this resolution no chaplain seems to have been appointed, for later on, in their reply to the resolution of the Assembly in favour of publicity for the debates of the Council, "The Assembly having dispensed with the services of a chaplain, the Council regretted that their deliberations were now to be conducted without offering up their united supplications for the aid and guidance of Him from Whom all good counsels proceed; but deeply as they deplored this they felt that they had no right to interfere, and alluded to the subject only to show that if such interference of one House with the regulations of another could be vindicated, Her Majesty's Council might be more justified in reminding the House of Assembly of the duty of adhering to the ancient and Christian practice of daily and unitedly invoking the Divine Blessing, than the Assembly could be in wishing the Council to adopt a practice new in this country, and which, notwithstanding its many advantages, had its attendant evils wherever it had been introduced." Duncan Campbell: *History of Nova Scotia* (1873).

C

THE TWELVE RESOLUTIONS

1. RESOLVED, that a committee be appointed to draw up an address to His Majesty to embrace the substance of the following resolutions:—

2. Resolved, that in the infancy of this colony its whole government was necessarily vested in a governor and council; and even after a representative assembly was granted, the

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practice of choosing members of council exclusively from among the heads of departments, and persons resident in the capital, was still pursued; and, with a single exception, has been continued down to the present time. That the practical effects of this system have been in the highest degree injurious to the best interests of the country; inasmuch as one entire branch of the legislature has generally been composed of men who, from the want of local knowledge and experience, were not qualified to decide upon the wants or just claims of distant portions of the province, by which the efforts of the representative branch were, in many instances, neutralized or rendered of no avail; and of others, who had a direct interest in thwarting the views of the assembly, whenever it attempted to carry economy and improvement into the departments under their control.

3. Resolved, that among the many proofs that might be adduced of the evils arising from this imperfect structure of the upper branch, it is only necessary to refer to the unsuccessful efforts of the assembly to extend to the out-ports the advantages of foreign trade; to the enormous sum which it was compelled, after a long struggle, to resign for the support of the customs establishment; to the difficulties thrown in the way of a just and liberal system of education; and to the recent abortive attempts to abolish the illegal and unnecessary fees taken by the judges of the supreme court.

4. Resolved, that while the population of this province is composed, as appears by the last census, taken in 1827, of twenty-eight thousand six hundred and fifty-nine members of the Episcopal Church, and one hundred and fifteen thousand one hundred and ninety-five Dissenters, which proportions may be assumed as fair at the present time, the appointments to the council are always studiously arranged so as to secure to the members of the church embracing but one-fifth of the population, a clear and decided majority at the board. That there are now in that body eight members

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representing the church; that the Presbyterians, who outnumber them by about nine thousand, have but three; the Catholics, who are nearly equal, have but one; while the Baptists, amounting, by the census of 1827, to nineteen thousand seven hundred and ninety, and the Methodists to nine thousand four hundred and ninety-eight, and all the other sects and denominations, are entirely unrepresented and shut out from influence in a body whose duty it is to legislate for all.

5. Resolved, that while the Catholic bishop has no seat at the council board, and while clergymen of all other denominations are, as they ought to be, carefully excluded, the bishop of the Episcopal Church always has been and still is a member.

6. Resolved, that while Dissenters, as they have a right to, justly complain of a state of things so exclusive and insulting, they would regard its continuance with more indifference if it did not lead to a general and injurious system of favouritism and monopoly, extending throughout almost every department of the public service over which the local government have control; thereby vesting in the hands of a part of the population the resources arising from the industry of the whole, and creating invidious distinctions and jealous discontent in the minds of large numbers of His Majesty's loyal subjects.

7. Resolved, that two family connections embrace five members of the council; that, until very recently, when two of them retired from the firm, five others were co-partners in one mercantile concern; and to this circumstance may be attributed the failure of the efforts of this assembly to fix a standard of value, and establish a sound currency in the province.

8. Resolved, that the assembly of this province have for years asserted, and still most respectfully assert, their right to control and distribute the casual and territorial revenues

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of the country, whether arising from the fees of office, the sale of lands, or the royalty paid upon the produce of the mines. But this House regret that hitherto their efforts to obtain justice in this respect have been unsuccessful. The lands of the province are, in effect, mortgaged to pay to the commissioner a salary out of all proportion to the services he is called on to perform; while all the mines and minerals of the province have been leased for sixty years to a wealthy English company, without the consent of and independent of all control by the representatives of the people.

9. Resolved, that apart from the mere question of judges' fees, which this House has pronounced, and still believes to be, unconstitutional and illegal, the presence of the chief justice at the council board is unwise and injurious, having a tendency to lessen the respect which the people ought to feel for the courts over which he presides. From the warm interest he has always manifested in public questions, and particularly in some of those in which the representative branch and His Majesty's council have been diametrically opposed, and from the influence which his position gives him over a numerous bar, he has generally been regarded as the head of a political party; and frequently been brought into violent conflict with a people imbued with the truly British idea that judges ought not to mingle in the heats and contentions of politics.

10. Resolved, that the evils arising from the structure of His Majesty's council, and the disposition evinced by some of its members to protect their own interests and emoluments at the expense of the public, are heightened and rendered more injurious by the unconstitutional and insulting practice, still "pertinaciously adhered to" by that body, of shutting out the people from their deliberations. This practice they still maintain, although it is opposed to that of the House of Lords in England and that of the legislative councils of Lower Canada, New Brunswick, Prince Edward

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Island, and Newfoundland; and notwithstanding the murmurs and complaints of the people for a long series of years and the repeated representations and remonstrances of this assembly.

11. Resolved, that while the House has a due reverence for British institutions and a desire to preserve to themselves and their children the advantages of that constitution under which their brethren on the other side of the Atlantic have enjoyed so much prosperity and happiness, they cannot but feel that those they represent participate but slightly in these blessings. They know that the spirit of that constitution—the genius of those institutions—is complete responsibility to the people, by whose resources and for whose benefit they are maintained. But sad experience has taught them that, in this colony, the people and their representatives are powerless, exercising upon the local government very little influence, and possessing no effectual control. In England, the people, by one vote of their representatives, can change the ministry, and alter any course of policy injurious to their interests; here, the ministry are His Majesty's council, combining legislative, judicial, and executive powers, holding their seats for life, and treating with contempt or indifference the wishes of the people and the representations of the Commons. In England, the representative branch can compel a redress of grievances, by withholding the supplies; here they have no such remedy, because the salaries of nearly all the public officers being provided for by permanent laws, or paid out of the casual and territorial revenues, or from the produce of duties collected under imperial acts, a stoppage of supplies, while it inflicted great injury upon the country, by leaving the roads, bridges, and other essential services unprovided for, would not touch the emoluments of the heads of departments in the council, or of any but a few of the subordinate officers of the government.

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12. Resolved, that as a remedy for these grievances, His Majesty be implored to take such steps, either by granting an elective legislative council, or by such other reconstruction of the local government as will insure responsibility to the Commons, and confer upon the people of this province what they value above all other possessions—the blessings of the British constitution.

D

In September, 1840, Lord Falkland was sent out as lieutenant-governor, Sir Colin Campbell having been “promoted” to the governorship of Ceylon. Passing out from Lord Falkland’s first *levee*, Howe bowed to Sir Colin and would have passed on. The veteran stopped him, and held out his hand exclaiming: “We must not part in this way, Mr. Howe. We fought out our differences of opinion honestly. You have acted like a man of honour. There is my hand.” The hand was warmly grasped, and on Sir Colin’s departure a fine tribute to the chivalry and sense of honour of the old soldier was paid by the *Nova Scotian*.

E

Lord Grey at first refused all requests for a British guarantee, being on the whole of the Manchester School, and favouring private enterprise. But Howe was an old parliamentary hand, who knew that there were ways and means for bringing a government office to terms. He had friends in Southampton, and at once arranged with them that a request, apparently spontaneous, to address the citizens of the town should come to him from the city authorities.

It is unfair to Howe, and more than fair to Lord Grey to say that: “The Imperial government did not undertake

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to guarantee provincial bonds for the construction of a railway from Halifax to Portland." The Imperial government was guilty of a very bad breach of faith. In the letter to Howe written by Mr. Hawes, the under-Secretary, in the very middle of a paragraph of concessions and stipulations occur the words: "It is also to be understood that Her Majesty's Government will by no means object to its forming part of the plan which may be determined upon, that it should include a provision for establishing a communication between the projected railway and the railways of the United States."

Under the influence of unpractical theorists and overpractical contractors Lord Grey was false to his plighted word. As Howe said: "The interests of a few members of parliament and rich contractors were on one side, and the interests of the colonies on the other; and in such a case there was no great difficulty in giving two meanings to a dispatch, or in telling a Nova Scotian with no seat in Parliament or connections or interest in England that he had made a mistake!"

F

Howe's reiterated attempts to obtain office in the Imperial service are detailed in Grant, *The Tribune of Nova Scotia*. In 1858 he made an especially vigorous attempt to be appointed governor of British Columbia.

G

Mr. Howe did not approve of the Pacific Railway policy of the government in 1872, which led to defeat in 1873. He was in no way mixed up with the election scandals of 1872, because while they were in progress he was in the United States under medical treatment. He was returned for Hants by acclamation in his absence. But on his

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return in the autumn he became dissatisfied with the policy, and although old and without means, he refused to give his sanction. He promptly wrote the following to Sir John:—

“Ottawa, December 6th, 1872. My dear Sir John:—After a night of anxious consideration of the scheme of railway policy developed by Sir Hugh Allan and his friends yesterday, and apparently acquiesced in by my colleagues, I have come to the conclusion that I cannot defend that scheme or be a party to arrangements which I believe will be a surprise to Parliament and the country, and fraught with consequences deeply injurious to the best interests of the Dominion. I shall as rapidly as possible put upon paper the views I entertain of the measure as presented, and of the policy that ought to be pursued, and hope to be able to place them in your hands in the course of the afternoon. I regret sincerely the separation from old friends which this divergence of opinion must necessarily involve, but I apprehend it cannot be avoided, and am quite prepared to make the sacrifice rather than throw over for the sake of office my conscientious convictions. Believe me, my dear Sir John, Yours sincerely, (Sgd.) JOSEPH HOWE.”

Sir John could not afford to allow a resignation on such an issue, and instantly sent Howe the following note:—

“(Confidential). December 6th, 1872. My dear Howe:—I have talked matters over with our colleagues and they desire to meet your views as much as possible. You need not prepare your paper, and I will be glad to see you in the morning. Yours always, (Sgd.) John A. Macdonald.”

Matters were arranged in some way to satisfy Mr. Howe, for he remained in the government until May, 1873.

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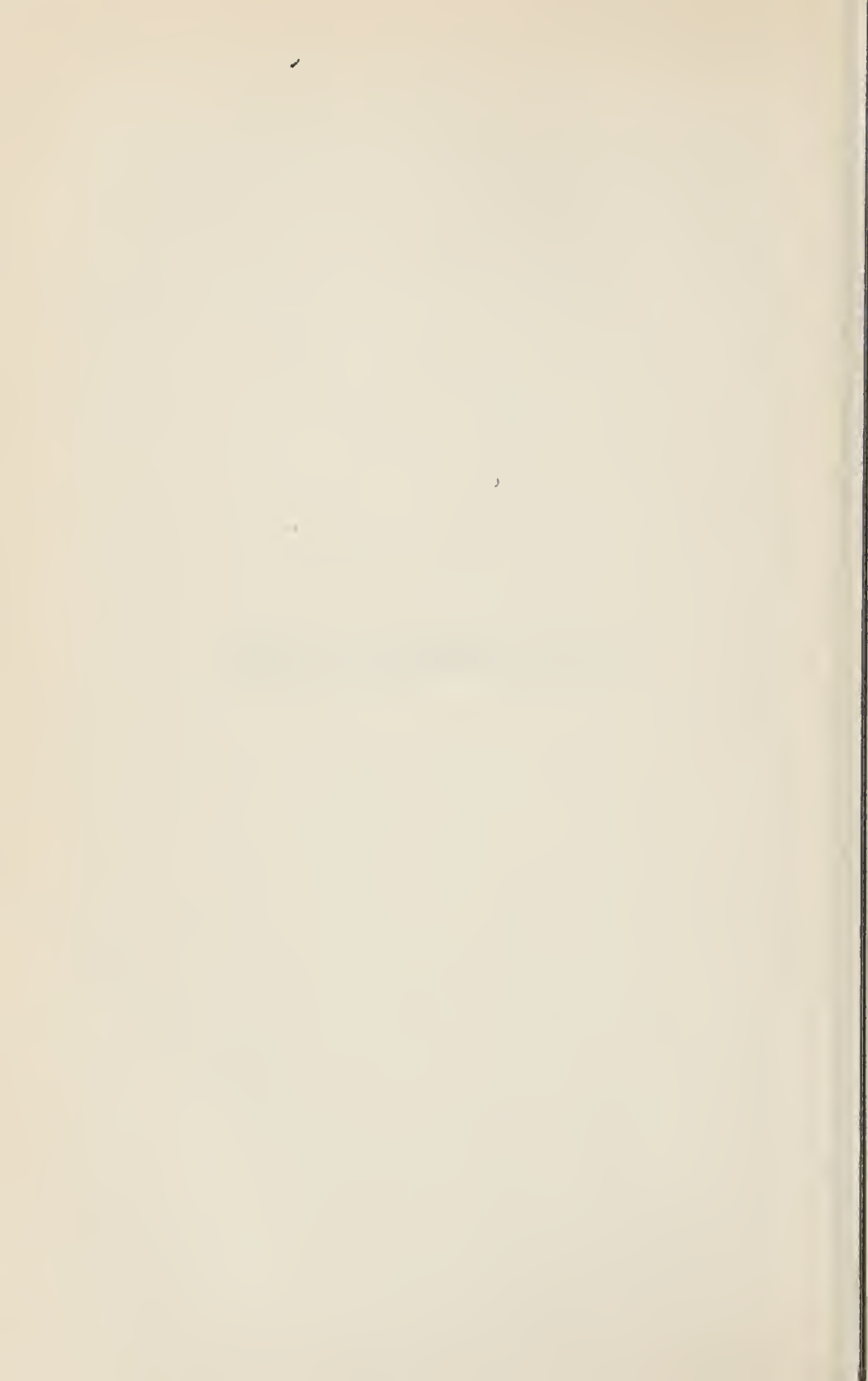
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SIR CHARLES TUPPER





SIR CHARLES TUPPER

From a photograph

THE MAKERS OF CANADA SERIES

Anniversary Edition

SIR CHARLES TUPPER

BY

HON. J. W. LONGLEY

*Illustrated under the direction of A. G. Doughty, C.M.G., Litt.D.
Deputy Minister, Public Archives of Canada*

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CONVENTION AT CHARLOTTETOWN . *Facing page 62*



CHAPTER I

EARLY LIFE (1821-1855)

ON the 2nd of July, 1821, there was born in Amherst, Nova Scotia, a man-child who, in the fulness of time, was to play a principal rôle in the making of the Dominion of Canada and in shaping its policy. This child was Charles Tupper, who, as Sir Charles Tupper, Bart., on October 30th, 1915, in his ninety-fifth year, was to die at "The Mount", Bexley Heath, Kent, almost within sight of London, the great throbbing heart of the British Empire, where for many years he had been an active force in promoting the best interests of Canada.

The Tupper family is of German extraction. During the Reformation wave that swept over Europe in the early years of the sixteenth century a family of Tupperes residing in Cassel in the electorate of Hesse joined the new movement, and, about 1525, two of the brothers, to escape the harsh laws instituted against the Reformers by Charles V, fled from their native land. One of these men settled in Holland, where his descendants still live; the other went to England and took up his abode in Kent, in which county, as we have seen, one of the most illustrious of his name died nearly four hundred years later. It is

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worthy of passing note that about 1592 one of the Kent Tupperes settled in the island of Guernsey. From this family sprang many distinguished British soldiers and sailors. One of the Guernsey family, John E. Tupper, married Elizabeth Brock, sister of Sir Isaac Brock, the hero of Upper Canada, the general whose skill and energy saved Canada in the most critical period of her history.

The Tupper name first appeared in American history in 1635, when Thomas Tupper arrived in the colony of Massachusetts. Why he left England is not definitely known, but at this time Charles I was, with the help of the Earl of Strafford and Archbishop Laud, playing the part of an absolute monarch, and it may be that the reason that impelled the Tupperes to leave Hesse caused Thomas to emigrate to America—liberty of conscience. Thomas Tupper at once took a prominent part in the life of Massachusetts. In 1637 his name appears as one of the incorporators of the town of Sandwich and he was appointed one of the selectmen of the place. He was of a deeply religious nature, and when the church in Sandwich was without a pastor he conducted the services. But his chief care was for the Indians, living in spiritual darkness and savagery. He succeeded in establishing an Indian congregation at Herring Pond and built the aborigines a place of worship. Until the eve of the American Revolution the Tupperes laboured for the welfare of their adopted

HIS ANCESTRY

country. The missionary spirit seems to have taken root in the family. A number of them were evangelists in the New England colonies, and, as we shall see, the family continued similar work when they settled in Nova Scotia.

About the middle of the eighteenth century many of the colonists along the Atlantic seaboard desirous of bettering their lot looked about them for new homes. The lure of the West attracted many, but in 1763 the Pontiac war was in full swing and settlers venturing beyond the Alleghanies took their lives in their hands. At this time a new field for settlement was open, an attractive field. In it there was no Indian menace and it abounded in rich marsh lands dyked from the sea and fertile uplands from which the forests had been cleared. This land was old Acadia, now Nova Scotia. The French Neutrals who had lived here since the days of the founding of Port Royal (Annapolis) had been driven into exile less than ten years before. Much of their land was still unoccupied and the Government of Nova Scotia extended liberal offers to settlers from New England and elsewhere. Many families from Massachusetts and Connecticut took advantage of these offers. Among those who came to Nova Scotia in 1763 and settled in Cornwallis were Eliakim Tupper and William and Jane West. This Eliakim Tupper was the great grandfather of the subject of this memoir, while Elizabeth,

SIR CHARLES TUPPER

daughter of the Wests, a woman of remarkable talent and exceptional strength of character, who married Eliakim's son Charles, was the grandmother. Thus through both grandparents Sir Charles Tupper was of pronounced Puritan stock.

The Nova Scotia Tupperes, while plain farmers, were men of remarkable firmness of character. Charles, the father of Sir Charles, early displayed a zeal for learning. No school was available in his vicinity except for the mere elementary branches of learning, and so young Charles was forced to educate himself. Very few young men have energy, patience, and perseverance to attain to scholarship without assistance amid the exacting duties of farm life in a somewhat out-of-the-way locality. One striking exception was Charles Tupper. He was not content to acquire simply the rudiments of reading, writing, arithmetic, and geography; he boldly attacked the Latin language, and at nineteen was able to read it much better than most college graduates ever do. He next devoted himself to Greek, and persevered until he could read the New Testament in the original. He also read the whole of the Old Testament in the original Hebrew, a thing few theological students ever accomplish. After these prodigies of self-teaching he found it but a mere bagatelle to acquire familiarity with French, German, and Italian. When, in later years, Acadia College was founded

HIS FATHER

by the Baptists of Nova Scotia with his active assistance, and men of learning, such as Drs. Pryor, Crawley, Cramp, and others were obtained to fill its professorial chairs, it was recognized that in scholarship none surpassed him, though he had never had a tutor or studied an hour within the walls of a university.

When Charles Tupper the elder was twenty he was converted—that is, he felt a conviction of sin, experienced a change of heart, and became a professing Christian. His religious experience had been intense and he had long struggled with doubts and difficulties, but once he had made an absolute surrender of his life to Christ he was seized with a desire to proclaim the Gospel. In March, 1816, when twenty-one, he preached his first sermon, and a few months later began his labours as an Evangelist, not so much in Cornwallis, where he was born and reared, as in eastern Nova Scotia, New Brunswick, and Prince Edward Island. Amherst was one of the places at which he was stationed; here, for a time, he resided with his first wife, formerly Mrs. Miriam Lockhart Lowe, of Parrsboro, Nova Scotia, and here his eldest son Charles was born.

Many of the qualities of the father were inherited by his still more eminent son—doggedness, a methodical manner of thinking and acting, and seriousness and gravity in respect of all duties imposed upon him. His father's income was not

SIR CHARLES TUPPER

large and he had difficulty in contributing to the education of his children beyond the public school course. But he was ambitious for his children and wrote in his journal: "Having decided on mature deliberation to give my son Charles an education in order that he might be prepared to enter the medical profession, on August 1st, 1837, I sent him to our educational institution at Wolfville." Young Charles, equally desirous of obtaining a higher education, had qualified himself for a school teacher, and with his father's assistance, and a small sum obtained by teaching, began his studies at Horton Academy, Wolfville, now Acadia College. Here according to tradition he eked out his scanty means by work at a shoemaker's bench. He did not enter college or receive the advantages of a university course, but he acquired sufficient knowledge to begin the study of medicine, and, being ambitious in this as in all matters in which he was engaged, he obtained the means to go to Edinburgh and finish his studies in the university there, taking the degree of M.D. and becoming a Fellow of the Royal College of Surgeons. Much gossip prevailed at this time as to the manner of his obtaining the means for this Edinburgh course. It was hinted that he had engaged the affections of a young lady in Amherst and, under a promise of marriage, received from her the money necessary to pursue his medical studies in Edinburgh, but that after his return to Nova Scotia he declined

A SUCCESSFUL PHYSICIAN

to fulfil his engagement. The means of ascertaining the exact inner history of this affair are not available. All that is known is that after he occupied a seat in the Legislature some member ventured to make an insinuation about it. Dr. Tupper promptly declared the imputation a foul slander, affirmed that the money had been advanced by personal friends and that it was promptly repaid. He challenged his accuser to make good his insinuations or stand branded as a slanderer and a coward. Soon after his return from Edinburgh he began the practice of his profession at Amherst, and, on October 8th, 1846, married Miss Frances Amelia Morse, the daughter of Silas H. Morse, Prothonotary of Amherst. Their golden wedding was celebrated in Ottawa in 1896, not long after the defeat of Sir Charles' Government in that year.

As was to be expected of a man of his ability, force, and ambition, Dr. Tupper was eminently successful in his profession. Amherst was not then the flourishing town it has since become, but it was the centre of a fine agricultural district, the shire town of the county, and a place of some importance. In Amherst Dr. Tupper commanded public confidence from the beginning and, by his skill and devotion, soon built up a large practice.

In the early part of Mr. Joseph Howe's famous crusade for responsible government most of the Baptists of Nova Scotia were in sympathy with

SIR CHARLES TUPPER

his endeavours and warm adherents to his cause. But he had the misfortune to quarrel with the editors and proprietors of the Baptist organ, the *Christian Messenger*, upon some business matters, and, as Howe was a relentless opponent, and not able to brook opposition, the fight became acute and bitter, and alienated many Baptists from the Liberal cause. His chief Conservative opponent, the Hon. J. W. Johnstone, was a leading Baptist, and this added fuel to the flame. The Rev. Dr. Tupper was not in political sympathy with Howe, but the reverse, and young Tupper's sympathies from the beginning were with the Conservative party and actively hostile to Howe. It is a common statement that Tupper was dragged into the political arena in 1855 against his own inclinations. This is scarcely accurate. It is quite true that active participation in political affairs was likely to interfere seriously with his well established medical practice, and he had no other financial resources upon which to rely; but it is impossible to believe that a man so virile and ambitious should not have been possessed of a strong impulse to seek in public life a sphere for his large aims, and, as a matter of fact, he had been an active spirit in the Conservative party years before he actually became a candidate for the Legislative Assembly.

Since his entry into public life in 1836, Howe had represented Halifax, but in 1851 it was deemed

ENTRANCE INTO POLITICS

a safe seat and was now left to other hands. Cumberland was doubtful and Howe sought election in this constituency. However, there was a compromise, and Howe and Stephen Fulton, the latter ostensibly a Conservative, were elected by acclamation. But it appeared after the election that Fulton had agreed to support Howe. The Conservatives were up in arms. It was discovered that the statute law had not been complied with in the Howe-Fulton election and it was declared void. A new election was necessary and in 1852 Howe and Fulton stood in the Liberal interests. This time they encountered bitter opposition, their opponents being Mr. A. Macfarlane and Mr. Thomas Andrew DeWolfe.

When DeWolfe arrived in his constituency from Halifax, Dr. Tupper met him and in a little school-house at River Philip made his first political speech. From that hour he was a marked man and it was evidently only a matter of time until he would take a commanding place among the leaders of the Conservative party in Nova Scotia. Indeed he jumped into prominence at once. So impressive was his first political effort that the Conservatives of Cumberland selected their "Young Doctor", as he was then affectionately called, to nominate Mr. DeWolfe at Amherst, and at the nomination he crossed swords for the first time with the redoubtable "Joe" Howe. Howe and Fulton were successful at the election but Tupper's efforts to

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defeat them gave him a standing in the Conservative ranks. He was on the losing side for the time being, but he even then steeled his will to vanquish Howe.

Dr. Tupper's profession brought him into intimate contact with the electors of Cumberland, and between the by-election of 1852 and the general election of 1855, while industriously riding hither and thither through the county ministering to the suffering, he made a host of political friends. His popularity and the strength and political insight he had shown in his passage-at-arms with Howe in 1852 made him the unanimous choice of the Conservatives of Cumberland in 1855. Indeed there was no other candidate in sight, and if he had refused to accept the nomination Howe would in all probability have been elected by acclamation. Tupper unhesitatingly consented to contest the seat and fearlessly prepared to do battle with the popular hero of Nova Scotia. The prospect of success was not bright. An ordinary man would have been defeated. Howe was at the zenith of his power, and was at this time pushing forward a railway policy that would extend a road through the whole length of Cumberland county. But the appearance of a resolute man has often changed the course of history. Tupper threw himself into the contest and revolutionized the political situation in Cumberland by his enthusiasm and vigour—qualities which friend and foe alike will

FIRST POLITICAL SUCCESS

recognize as having marked his political career until its close. In this election Howe and Fulton were the Liberal candidates; Tupper and Macfarlane, the Conservative. But in the contest Fulton and Macfarlane played minor parts; the real struggle was between Howe and Tupper, and the great Tribune of the People of Nova Scotia found in the "Young Doctor", who in this contest won the sobriquet of the "Fighting Doctor", a keen political critic and a foeman not easily vanquished. When the returns of the election came in it was found that the Conservatives were hopelessly beaten in the Province, but that Howe and Fulton had suffered defeat in Cumberland. It was universally recognized that this local success at a time of general defeat was entirely due to Dr. Tupper—a success that augured well for the future. Howe himself admitted it, and on his return to Halifax, being questioned as to the man who had defeated him, he replied that Nova Scotia would soon find out that "he had been defeated by the leader of the Conservative party"; a prophecy that was to have swift fulfilment. Johnstone, the Conservative leader, likewise attributed the successful issue of the election in Cumberland to Tupper. "I congratulate you," he wrote, "and sympathize with your wife in your triumph. Howe, I hear, concurs with all others in giving credit to your ability in the field in the various pitched battles and skirmishes that

SIR CHARLES TUPPER

occurred during the short but active campaign that preceded the 22nd." Johnstone was evidently of the opinion that "Howe's political life, at least his legislative existence," had been extinguished by Tupper. "Howe," he added, "may live on, but a defeat like that he has suffered affects his prestige as a man of the people in a way not to be restored."

It will be noted that Johnstone in his letter to Tupper expressed sympathy with the doctor's wife in his triumph. Mrs. Tupper was at first opposed to her husband entering on active political life. She no doubt dreaded that party warfare would put an end to the delightful home life she and her family were at this time enjoying in the quiet town of Amherst. But she took pride in her husband's achievements, and on nomination day, when the candidates were addressing the electors, she stood at a window and listened with delight to the speeches. Naturally in her eyes her husband was the equal of the great Howe. She became infected with his political aspirations and on his return from the meeting, which had lasted until sunset, lovingly remarked: "I do not want you to draw back now." Throughout their long life together this was ever her attitude; she stood by her husband rejoicing with him in victory, sustaining him in adversity, and was never by word or deed a clog on his career.

CHAPTER II

IN THE LEGISLATURE (1855-1864)

IN 1855 the Tory party in Nova Scotia was not in a very healthy or promising condition. Johnstone was the leader and about the only man of that party of note in the House. He represented a cause that had been decisively beaten in 1847, and the Liberals ever since had been revelling in the fruits of their triumphant assertion of the principles of Responsible Government. They had Joseph Howe, William Young, A. G. Archibald, Jonathan McCully, William Annand, and others, all active and adroit politicians. Johnstone was a man of good birth, education, aristocratic tastes, marked eloquence, and lofty ideals, but he was scarcely a match for the group of accomplished politicians arrayed against him. He had not the instincts of the practical politician, nor could he easily adapt himself to the rough and tumble of everyday political work. He rested his hopes of success upon great principles enunciated in lofty phrases and well-rounded periods.

The advent of Tupper marked the dawn of a new era in the history of the Tory party in his Province. His first session in the Legislature was in 1856, and, from the beginning, he threw such vigour into his assaults upon the Government that

SIR CHARLES TUPPER

his political friends took fresh heart and his opponents were imbued with a spirit of bitter hatred. They dreaded the fierce and inexorable rhetoric of the young member for Cumberland and began to belabour him with vituperation and ridicule; but this had slight effect upon the doughty Tupper, who, even at eighty, revelled in a political fight, and at this time, only thirty-four years of age, with his spurs to win, rushed with joy into the thickest of the contest and never thought of asking or giving quarter. Mr. Johnstone showed no signs of jealousy at the advent of Tupper nor any disposition to stand in the way of his growing prominence; on the contrary, before the opening of the first session of the new Assembly of 1856, he called together his supporters and asked Dr. Tupper to express his views on the political situation, intimating that, owing to his own advancing years, he would gladly delegate to his young ally a large share of the responsibility of upholding and promoting the party interests.

A reference to the position of political affairs at that time in Nova Scotia is necessary. In 1854 Howe, who had been leading the Government for some time, voluntarily retired to accept the position of Chief Commissioner for the construction of the Government railway, a project he had much at heart and for which he had provided earlier in the same year. He recommended the Governor to call upon Mr. William Young, then

THE IRISH CATHOLIC QUESTION

Speaker, to form a Government, and Young accepted, becoming Premier and Attorney-General. Although not in the Government, Howe continued to be a dominating political force. His office was an important one. He was still in the House. The *Morning Chronicle*, the organ of the Liberal party, was in the hands of Mr. William Annand, his close friend. Howe contested Cumberland in 1855 simply as a supporter of the Government, and when defeated continued to hold office as Chief Commissioner of Railways. This was the position of affairs when Tupper entered upon his parliamentary duties in February, 1856. The Government had been sustained, Young was leading, and Howe was not in the House—the only session from which he was absent between 1837 and 1864.

It has been a common belief, derived very largely from Dr. Tupper's own utterances, that his first step on entering public life was to induce his party to change their attitude towards the Roman Catholics of the Province, then, as now, representing nearly one-third of the population. This is not a strictly accurate way of stating the matter. Dr. Tupper came to Halifax with no thought of any change of policy towards the Roman Catholics. Events gave him his opportunity and he took advantage of it. At that particular moment the majority—but by no means all—of the Roman Catholic population were

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friends of Howe. Most of the Irish Catholics of Halifax had been his enthusiastic supporters in his great struggle for popular government, but, in the early part of 1856, no thought of bringing about a change of government upon any religious or sectarian issue had occurred to Tupper or to any one else. It happened that Howe had gone to the United States in the summer of 1855 as a recruiting agent for the Imperial Government, with the object of securing soldiers for the British army, then engaged in the Crimean war. He experienced many difficulties in this delicate mission, it being a violation of the law of the United States to enlist men in that country for a foreign service. Howe sought to avoid this by inducing recruits to go at his expense to Halifax for enrolment. Many Irish Catholics in Halifax were not in sympathy with the war and were disposed to obstruct all efforts to assist the British. Consequently, when Howe's recruits, many of whom were Irish Catholics, arrived in Halifax, the President of the Charitable Irish Society, Mr. William Condon, sent a telegram to the New York papers to the effect that Howe was inducing these men to go to Nova Scotia by promising them work on the railway, when there was no opportunity for work. The men, according to the telegram, were destitute. A general warning was further given to anyone who might be approached by Howe not to heed his promises. Howe

THE IRISH CATHOLIC QUESTION

was an ardent Imperialist and devoted to British interests. This seemed to him a most disloyal act, and his anger was roused by it. The next year, 1856, the Gourley Shanty Riots took place on the railway, when a number of Irish Catholics pulled down a house because the inmate was a Protestant, and made threats that no Protestant would be allowed to work on the road. Howe one day returned to Halifax from an unsuccessful attempt to get the ringleaders in this affair arrested, and attended a meeting called to present an address to Mr. John F. Crampton, the British Minister, who had just been summarily dismissed by the United States Government for his part in aiding foreign enlistment. At this meeting some Irish Catholics openly opposed the presentation and uttered words which savoured of hostility to British interests. This was the final act which roused Howe's indignation beyond the point of endurance. He sprang to his feet and made a bitter assault upon the Anti-British Irish Catholics, denouncing their treason and expressing his determination to check promptly their impudent presumption to dictate in the affairs of the railway. This led to a furious quarrel, which degenerated into a race and religious war between Howe and the Irish Catholic population.¹

When the second session of the new parliament

¹ For this and other questions in which Howe and Tupper were concerned see *Joseph Howe*, by the same author, in this series.—Eds.

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was about to meet in 1857 there was a movement among the Catholic members supporting the Government, and Protestants who represented constituencies having a large Catholic vote, to desert the Government and drive it from power. Before the House met two members of the administration had resigned, one of them, Mr. W. A. Henry, Provincial Secretary, himself a Protestant, but representing Antigonish, a strong Catholic constituency. Strictly speaking, the Government had no quarrel with the Catholics. It was essentially Howe's quarrel; but Howe loomed too large to permit the Government to escape the consequences of his action, except upon the terms of an open breach with him. To appease the malcontents it must dismiss him from the Railway Board and it must also cut off the head of Mr. Annand, the Queen's Printer, whose organ, the *Morning Chronicle*, was actively supporting Howe in his crusade. This it could not do, for Howe was a larger figure in the public mind and a more potent force in shaping the policy of the party than the Premier himself.

There was some indisposition on the part of Mr. Johnstone and other blue-blooded members of the Tory party to form an alliance with men whose characters and instincts they had long been disposed to reprobate. Mr. Johnstone himself was intensely loyal to Great Britain and could only view with indignation any disloyal reflections

THE IRISH CATHOLIC QUESTION

upon British policy. Therefore, he and some of his intimate friends doubted the wisdom of an open alliance with the Catholic party. This was the moment when Tupper's influence intervened and determined the policy of the party. Tupper said in effect: "What need we care how the downfall of the Government comes about so long as it places power in our hands? The support of the Roman Catholics of Nova Scotia is essential to us if we would obtain and maintain power. Let us take advantage of the occasion and thus build up a party which will have the means of becoming dominant in the country." This suggestion was welcomed by the rank and file of the Tory party and Johnstone yielded, though, in moving his resolution of want of confidence in the Government, on the first day of the session, he made not the slightest reference to any sectarian question. He asked for the defeat of the Government simply and solely on its failure in administering the affairs of the country. Howe had obtained a seat in Hants county in 1856, and being in his place in the House in 1857 he naturally bore the brunt of the battle, which was largely of his making. The result was never in doubt; the vote was a foregone conclusion. Enough supporters deserted the Government to ensure its defeat, and Mr. Johnstone's resolution was carried by a respectable majority. Mr. Young and his colleagues immediately resigned, and Mr. Johnstone formed

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a Government, himself Premier and Attorney-General, and Dr. Tupper, Provincial Secretary. The Liberals made a desperate effort to defeat Tupper at the by-election made necessary by his acceptance of office, but they were dealing with a man not easily downed, and he was re-elected.

A curious incident developed in the debate of 1857. It came out that before this young doctor from Cumberland had been fairly installed in his seat in 1856 he had had the calm assurance to approach Howe and propose a coalition, by which Young should be destroyed, Howe given the lead, and Johnstone provided for. Howe did not agree, but Tupper stated boldly upon the floor of the House that he had made the advances, and he did not hesitate to declare that Howe had listened and made references to Young not altogether complimentary, which is not improbable, for Howe never really liked Young, although long associated with him.

Tupper had now within two years of his election to the Legislature become a Minister at the head of one of the most important departments of the Government, and was recognized on all sides as a commanding figure in the councils of his party. Mr. Johnstone was an old man and could not long remain actively in the political field, while Dr. Tupper had no rivals for the succession. The Government did not last long. The general elections were due in 1859, and Howe, Young, and

SECTARIAN BIGOTRY

other Liberal leaders were active in their efforts to carry the country. Their chief ground of attack and the issue upon which the Government was to be defeated was, unfortunately, the Catholic question. A majority of the constituencies of Nova Scotia were preponderatingly Protestant, and the charge was freely made that the Government was under the influence of the Roman Church, that it had obtained office by the aid of the clergy of that Church and that its policy was dictated by the Hierarchy. It was an unfounded and unjust charge, and the open appeals to sectarian bigotry then made now seem almost grotesque.

A supreme object at this election was the defeat of Tupper in Cumberland. It was a Protestant county and in it the Liberal party was powerful. Mr. Young, the Liberal leader, was a wealthy man, and it was believed that by the power of money Tupper could be struck down. Young became a candidate, and associated with him were Howe's old colleague, Fulton, and Mr. Fullerton. Tupper's running mates were Mr. Alexander Macfarlane, afterwards a Senator of Canada, and Robert Donkin. At that period the election law was not stringent and petitions were tried by a partizan committee of the House, so that with Mr. Young supplying unlimited money, lending it to every one who needed it upon mortgage and other security, and prepared to relieve every man from obligation

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to Tory creditors, he could have been defeated only by a man of extraordinary courage and adroitness. But Tupper threw himself into the contest with indomitable energy and did not hesitate, though still a poor man, to exhaust all the means within his reach. The whole Province watched the contest with anxious interest. The prevailing impression after Young's candidacy was announced, was that the champion of the Tory party was doomed. The result was close. As the figures were originally announced, Young was first, Tupper a good second, Fullerton third, and Macfarlane fourth, but the Sheriff on declaration day declared Young, Tupper, and Macfarlane elected. In spite of all efforts against him, Tupper had not only secured his own seat, but had carried two seats out of the three for his party. Only once after this was Tupper closely pressed in Cumberland, which he continued to represent in either the Federal or Provincial House without interruption until 1884.

The Government was defeated, but only by a narrow majority. Out of fifty-five seats the Government carried twenty-six, the Opposition twenty-nine. The Government held on and refused to retire until forced to do so by a hostile vote in the House of Assembly in February, 1860. Young was called upon to form a government, and it is noticeable that he was careful not to accept any portfolio. He became Premier without office,

IN OPPOSITION

Howe, Provincial Secretary, Archibald, Attorney-General, and Annand, Financial Secretary. The reason usually ascribed for Mr. Young not taking office was that with all his wealth, prestige, and power as First Minister, he dreaded to face a by-election in Cumberland. Nothing could be more certain than that Tupper would put an Opposition candidate in the field and contest every inch of the ground with relentless persistence. Soon after the election the office of Chief Justice became vacant, and Young accepted the position. The Chief Justiceship had been one of the prizes fought for in this election. If the Government won, it would fall to Johnstone; if defeated, the prize was Young's. Howe became Premier, and Tupper, under the nominal leadership of Johnstone, gave for over three years an exhibition of vigorous and implacable opposition. Scarcely a day passed without a fresh attack from him. The Government never had a moment's rest or peace. Dr. Tupper had removed to Halifax on entering the Government, and when compelled to resign he resumed his medical profession. He soon had a lucrative practice and obtained from the City Council the position of City Medical Officer. In order to be in close touch with the public, he assumed the editorial management of the *British Colonist*, the chief organ of the Tory party, and from this paper issued fierce, trenchant, and damaging attacks upon the Government.

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The construction of the provincial railway was taxing the financial resources of Nova Scotia and the outbreak of civil war in the United States had adversely affected the trade of the Province. As a result of these and other things the Government, in the session of 1862, found itself faced with a serious deficit. Dr. Tupper seized the opportunity to bring forward an elaborate retrenchment scheme whereby he proposed to effect an annual saving of about \$70,000 by reducing salaries in all departments. The merit of the project, as a political factor, was that the sum was small. It is rarely that the electorate can be alarmed by millions. The whole cost to the Government of the construction of the Canadian Pacific Railway, vast as it was, which, added to the cost of the Inter-colonial, aggregated scores of millions, disturbed nobody; but the story of some hundreds of dollars spent on cutlery and glassware in the High Commissioner's house in London appalled thousands of excellent people. In like manner, by taking \$100 off an official's salary, which to the average householder seemed larger than necessary, a glow of satisfaction was generated in every simple breast. The present writer can well remember the terms of approved satisfaction with which this proposition was received by the country people, who were believers in the simple life. It came down to the ordinary understanding and constituted a really strong campaign issue.

RETRENCHMENT SCHEME

It would be natural to expect that this retrenchment scheme would have confronted Dr. Tupper unpleasantly when a little later on he was called upon to face the responsibilities of office. In the session of 1864 the Opposition members did not fail to refer to the famous retrenchment proposals; and since the sums voted for expenditure were larger that session than usual, it was felt that a striking point was scored. But it did not seem to give any concern to Dr. Tupper. He waited until near the end of the session and took advantage of the debate on the Equity Judge Bill, which the Solicitor-General had introduced, to make a lengthy speech in which he referred to the several criticisms which had been made upon the Government's policy, and gave the following explanation and justification of his retrenchment proposals in 1862:

“The House knows very well that so far from having taken the ground in this House that the public officers were too highly paid and that I was anxious to reduce their emoluments, I stated that there was not a single public officer whom I touched in the retrenchment resolutions that I did not touch with the greatest reluctance; and I went further and stated that the moment the financial condition of the country warranted it, I would have great pleasure in restoring their salaries as before. These were the principles to which I bound myself—the proposals which I

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made in good faith. How could I have stated that the salaries were too high when I declared in this House that the salary of my predecessor was one on which I had been myself unable to live? I demanded retrenchment in order to meet the great public exigencies, and that was a debt of £38,000 created in one year over and above the revenue of the country. I stated that in the existing condition of things, the country was not bound to look at what it would *like* to give its public officers, but what it was *able* to give."

At the last session of the Legislature in 1863, the Liberal Government introduced a Franchise Act requiring a small property qualification as a condition of voting. Previously, manhood suffrage had prevailed, and however much democracy may laud this system, it remains a fact that under it elections are sometimes determined by the votes of persons without property, character, or the slightest appreciation of the obligations of citizenship. The Government had only a narrow majority in the House, but sufficient to carry this measure. It had a majority of only one in the Legislative Council, but this was enough, inasmuch as each supporter had been carefully canvassed upon the franchise question and his support pledged. Tupper violently inveighed against this measure as shutting out from the exercise of the rights of citizenship young men of intelligence, including college students, teachers, and apprentices. He

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realized that he could not defeat the measure in the House, so he directed his attention to the Council. Mr. H. G. Pineo represented Cumberland in the Council and was, naturally, a supporter of Howe, but Tupper, who had now become a power in the country, was so far able to influence his mind as practically to make him subservient to his purpose. Mr. Pineo had promised to support the measure and could not be induced to vote against it. Tupper did not ask this, but persuaded him to support a rider providing that the Act should not come into operation *until after the next general election*. This was deemed a very adroit move on the part of Tupper, and it is to be noted that he was actively assisted in manipulating Mr. Pineo by Mr. Alfred G. Jones, then a prominent merchant and active Conservative, but destined very soon after to become Tupper's persistent opponent in Nova Scotia.

Another incident tended to embarrass the Government. Mr. Howe early in 1863 received an Imperial appointment—British Fishery Officer under the Treaty of 1854-66,—which weakened his position as leader of the Government. Tupper and the opponents of the Government urged that it was unconstitutional for Mr. Howe to sit in the House while holding this office. But this was not the view of the majority, and Mr. Howe determined to remain at the head of the Government until after the approaching general election,

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as his name and prestige were deemed essential to success. The Government faced this election with the gravest apprehension, as Tupper's agitation during these years had stirred up a strong feeling against the administration.

The elections were held in May, 1863, and resulted in the overwhelming defeat of the Government. It secured only fifteen seats out of fifty-five and Johnstone and Tupper were returned to power amid every token of popular favour. After the first session of 1864 a position on the Bench was provided for Mr. Johnstone, Tupper became Premier and had the reins in his hands. Most Canadians are familiar with his active and eminent career in the public life of the Dominion, but history will record the four years of his administration of the affairs of Nova Scotia as the greatest era in Tupper's life—an era in which he displayed the highest qualities and achieved the most striking personal success.

The question of common school education was at that moment imperatively demanding public attention. It would be unjust to say that education had been neglected in the Province. King's College at Windsor had been opened in 1790 by the Church of England, and Acadia College at Wolfville in 1840 by the Baptists. The Roman Catholics had established Arichat College, at Arichat, in 1853. This institution was transferred to Antigonish and established as St. Francis-

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Xavier College in 1855. Pictou Academy was in full operation and a Normal school had been established at Truro in 1855 for the training of teachers. Grammar schools existed in leading centres and received special grants from the Government. There was a system of common schools under the control of Boards of School Commissioners for counties, or parts of counties, who had the power of creating school districts and giving licenses to teachers. But these common schools were voluntary. Any teacher proposing to establish a school generally had to canvass the district in advance and get parents to subscribe according to the number of children they were prepared to send. The school houses were below any reasonable standard of comfort or efficiency. Apparatus and equipment were wanting and the system of licensing teachers was unsatisfactory. There could not be a satisfactory system of common school education until free schools were established, supported by compulsory taxation, whereby all property holders paid their assessments for the support of schools, whether they were or were not blessed with children.

An effort had been made to introduce compulsory free schools as early as 1825, but the Government was afraid of the unpopularity which the imposing of direct taxation would incur, and the question was never again seriously dealt with until 1864. Mr. Howe was always the loyal

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champion of education and yearned for a free school system; and his speeches in Parliament and out of it had an educative influence upon the public; but, confronted with the great problems which surrounded the early part of his political career and compelled him to face a desperate struggle for existence, he never ventured to hazard the consequences of a taxation measure.

In 1850, Dr. J. W. Dawson, afterwards the Principal of McGill College, was appointed Superintendent of Education. He brought much energy into the discharge of his duties and was an open and persistent advocate of a free school system. Under his auspices, the Normal School was opened at Truro, and an able, enthusiastic, and forceful man, Rev. Alex. Forrester, was appointed Principal; upon Dr. Dawson's retirement in 1855, Dr. Forrester succeeded him as Superintendent of Education, retaining his duties at the school. He advocated the free school system as ardently as Dr. Dawson had done, while he possessed greater magnetism and was a more interesting and effective personality upon the platform.

Still politicians shrank from facing the danger of imposing a school tax, and nothing was done. The situation was very happily epitomized by Howe in a speech in the House of Assembly in 1855. He said:

“Mrs. Glass in her famous recipe says, ‘First catch your fish,’ and so he believed on this question

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that Providence had first to catch an enthusiast, young enough to carry this question to its final conclusion—one who had with the pleasing address and amiable manner of Mr. Dawson, the same enthusiasm—with a little more of the demagogue in his composition—to agitate the masses and go through the country beating the rough clods of the valley and getting something like vitality to spring up in the soil. The man might not be in the House now, but sure he was that such a man would be here before many years and that he would with a free and fearless heart rouse up the spirit of the people and sweep away the obstructions now remaining in the path of the general education of the people.”

Was it the irony of fate that only three months after the uttering of these prophetic words, Howe should have been defeated by the very man who was to accomplish this great work?

When the Johnstone-Tupper Government was formed in 1863 (Mr. Howe's Government resigned soon after the elections), Dr. Tupper, forceful and ambitious, no doubt wished to do something unusual to mark the administration. Mr. Johnstone was soon to leave political life and the duty of moulding affairs naturally fell to Tupper. The railway question required serious attention, and a strong demand came from eastern Nova Scotia for an extension of the railway system eastward to Pictou. Since Howe had adopted the policy

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of building railways by the Government, the Conservative party, under Mr. Johnstone, had been steady opponents of Government railways and in favour of Company construction aided by provincial subventions. It is not necessary even to enquire which would have been the best policy. The demand for a railway to Pictou was immediate and imperative. Mr. James McDonald of Pictou was Chief Commissioner of Railways and influential in the Government councils. He insisted upon the extension to Pictou as a Government work. His proposal could hardly be accepted at once by Mr. Johnstone, who had talked too freely against Government railway construction, or even by his chief lieutenant, who was not so fully committed on this question. No one can know the proceedings of a Council Chamber, whose members are sworn to secrecy, but there was a persistent rumour that both Mr. Johnstone and Dr. Tupper opposed the immediate construction of the road to Pictou as a Government work, but that they were overborne by the other members of the Government and the policy of building the road as a public work was finally adopted. Be that as it may, Tupper made such a vigorous and enthusiastic defence of the policy in the House that no one would have suspected that he had had misgiving as to its wisdom.

But the uppermost question at this time was education, and with this Tupper determined to

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grapple at all hazards. If anything really useful and far-reaching could be done, it must be by the introduction of a system of free schools, supported by sectional taxation, aided by provincial and county grants. Dr. Tupper was profoundly convinced that this was the right thing to do. But it is necessary to consider the grave difficulties which confronted him.

1. There was the probability that such a measure would create bitter opposition to the Government in the country, and might result in its destruction. He had sufficient faith in himself to accept this risk, and was broad and big enough to see that the object to be attained was worth the hazard.

2. Having convinced himself on this point, his next difficulty was to induce not only his colleagues in the Government but also the average country member, whose ideas generally do not reach very far beyond the question of re-election, to join him in such a bold and dangerous undertaking. The ordinary member of a provincial Assembly is not heroic, nor has he any predilections in the direction of reform or even change. He instinctively dislikes whatever is disturbing. He knows the conditions under which he is now living and under which he has managed to secure success at the polls. As long as these remain, he can gauge possibilities, but once introduce innovations and he finds it difficult to keep his bearings or measure the consequences. Those who knew Tupper in the

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full vigour of manhood can form some estimate of his power to win the confidence of his followers and command their support, and in the end he was assured that he could carry his measure, though he had trouble enough in quieting the scruples and fears of the timid.

3. He proposed to make his public school system not only free but non-sectarian. Every teacher should receive his or her license from the Council of Public Instruction, the text-books should be prescribed by the same body, and no form of sectarian instruction should be permitted in any school. Religious orders were to have no status in any public school, and their members could only acquire the right to teach by passing the examinations and complying with the regulations of the Council of Public Instruction. This looks fair and just, but it must not be forgotten that one-third of the people of Nova Scotia were Roman Catholics, accustomed, under the free and easy practice then prevailing, to have their own schools in those sections in which Roman Catholics predominated conducted largely under the control of the clergy. In the city of Halifax, for example, to all intents and purposes, separate schools existed. The Protestant children were segregated in Protestant schools supported by Protestant parents. All the school buildings in which Roman Catholic children were taught had been built and were owned by the Archbishop; the schools were conducted by

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members of religious orders, and imparting the tenets of the Roman Catholic faith was part of the daily work in the school room. It is a cherished conviction of the Roman Catholic Church that religious instruction should be given in the school. Dr. Tupper, therefore, had to confront not only the fears of his own supporters in the House, but the whole weight of the Roman Catholic Church, under the leadership of the able and popular Archbishop of Halifax, supported by the Bishop of the eastern Diocese of Arichat. The situation was a difficult one. The Archbishop owned the schools in Halifax, paid the teachers, received the Government grant, and collected from his own people the other revenues for their support. When the school law should come into operation, every Roman Catholic in Halifax would be subject to taxation for the support of common schools in the city. If he was to receive any advantage from these taxes, the schools which his children attended would have to be transferred from the Archbishop to the Board of School Commissioners, and the regulation and control of these schools to the Council of Public Instruction. It meant that before teachers of religious orders could be recognized they would have to pass examinations and obtain a license, and, what was more serious, special religious instruction in the school would have to be abandoned. If these steps were not taken, and the Archbishop persisted in main-

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taining his schools, then every Catholic would have to pay his taxes for the general support of the free schools and still make his contributions to the Bishop for the support of the Catholic schools.

This was the situation with which Tupper had to deal. Many compromises were suggested, and much pressure brought upon him to modify by a system of exceptions his proposals for free non-sectarian schools. It required no little courage absolutely to decline all these suggestions, and to adhere without flinching to a system of free non-sectarian education. It must not be forgotten that since Mr. Howe's unfortunate quarrel with the Catholics, that body had been almost solidly behind the Conservative leaders. The Archbishop of Halifax himself was in political sympathy with Dr. Tupper. To introduce a compulsory system of taxation for the support of schools absolutely non-sectarian—godless, as they were sometimes called—was to jeopardize the relations existing between the Conservative party and the Roman Catholic body, and to menace the existence of the Government. All these conditions Tupper faced without hesitation or faltering and carried through his measure in its original form.

It is fair to state that Dr. Tupper had some decidedly favourable circumstances to aid him in his task. Mr. A. G. Archibald, the leader of the Opposition, was one of the most cordial advocates of the free-school system in the Province.

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He represented Colchester County, in whose chief town the Normal School was situated, which more than any other part of the Province had been brought into close contact with the enthusiasm of Drs. Dawson and Forrester, and had thus been educated up to an appreciation of the merits of a free-school policy. But so often political expediency outweighs ingrained principles and reasoned convictions that it must be put to Mr. Archibald's credit that, far from seeking to add to the embarrassment of Dr. Tupper at this juncture by carping criticism and hostile suggestion, he openly and manfully gave the principle of this educational measure his unstinted support. This went a long way, not only to remove the question from party politics but also to discourage the malcontents in the Conservative party who were alarmed at Tupper's measure. There is a tradition of the time, well supported, that men in the Government ranks approached Mr. Archibald at a critical moment, and pointed out that combinations could be formed which would defeat the measure and destroy the Government if he and his followers would give their support. To his lasting credit Mr. Archibald turned a deaf ear to this proposition. However, it is doubtful if a man of Dr. Tupper's dauntless nerve and inexhaustible resource, holding the reins in his hand, would have permitted himself to be defeated by any combination that could then have been

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formed against him. In less than two years he faced a more desperate situation and emerged triumphantly.

It must be mentioned that in his first measure of 1864, Dr. Tupper did not embody the most vital and dangerous feature of compulsory taxation. He provided for a vastly improved system, created the Council of Public Instruction, composed of the members of the Government; arranged for inspection, county academies, school meetings, the election of trustees and the defining of their powers and duties, and increased educational grants; but the support of schools was left to the option of each school section. Without the feature of compulsory sectional support, the Act would have had little effect in improving common school education. But Dr. Tupper was probably confronted with many difficulties in his first attempts to deal with the subject and was compelled by force of circumstances to begin cautiously. Indeed, one of the first criticisms in 1864 came from Mr. Archibald, who reproached him with having submitted a half-hearted measure instead of a bold proposal for compulsory taxation. Probably Tupper felt the sting of this challenge, and, at the end of the session, a short Act was passed postponing the coming into operation of the Act concerning Public Instruction until the proclamation by the Governor. But, during the session of 1865, Dr. Tupper proposed amendments

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which introduced compulsory taxation as a means of sectional support, and this was the most delicate and crucial stage of the measure. It was then that Mr. Archibald's chivalry was appealed to. Only the resistless power of Tupper's personality compelled the support of a majority of the members, many, if not most of whom, were undoubtedly alarmed at the political consequences of such a radical and far-reaching measure.

During the consideration of this measure Mr. Isaac LeVesconte, a member supporting the Government, and, until recently, a member of it, submitted a provision for the establishment of a separate school in any section where a given number of rate-payers demanded it. This raised a very serious question and many supporters of the Government were greatly embarrassed. The fate of the Bill and the Government seemed for a moment to hang in the balance. Dr. Tupper met the question with his accustomed boldness. He made no attempt to shirk or temporize. An extract from his speech will show his courageous stand.

"In the existing condition of things in this country, any system of common school education that involved the introduction of separate schools and prevented all denominations of Christians into which our community is divided from co-operating with each other—which would not allow all children, irrespective of sect, to sit side by side,

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and learn those branches of education which are taught in the common and superior schools of this country—struck at the very foundation of our school system. . . . The Bill had infinitely better be thrown into the fire than that the clauses in question should be incorporated into it.”

The consequence of this stand, in which he was manfully supported by Mr. Archibald, was the defeat of the Separate School Amendment and the establishment in Nova Scotia of a system of free non-sectarian schools.

This educational Act was the most useful and beneficial measure passed by the Legislature since Responsible Government was introduced. Its influence upon the intellectual life and moral tone of the Province was far-reaching. It was the first system of free non-sectarian schools adopted in any Province of British North America, and it was brought into operation with a freedom from sectarian strife and bitterness which has been the happy fortune of no other Province attempting a similar course. Tupper's work was appreciated. Some years later Dr. Forrester inscribed his *Teacher's Text Book* to him with the words: “As a small expression of his admiration of his steadfastness and determination in securing, during his Premiership of his native Province, one of the best legislative enactments on popular education to be found in any country.”

After the Act had been adopted, the Arch-

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bishop proposed to go on with his schools and ignore the Act. His leading parishioners shrank from the burden which this policy would impose, and the matter was ultimately compromised by the Archbishop agreeing to hand over, at a fair rental, his school houses to the School Board, the schools to be supported from the general fund; but there was an understanding that Catholic pupils were to attend these schools and that teachers, licensed by the Council of Public Instruction, were to be appointed by the Roman Catholic members of the School Board. No religious teaching was to be given during school hours, but, as most of these schools were near a Roman Catholic place of worship, the priest could, upon the dismissal of the school, march the children to the vestry and give them religious instruction. A similar concession was made to Protestant clergymen in relation to any of the schools having Protestant pupils, provided they could induce the children to take advantage of the privilege. Under this unwritten convention, which has been faithfully observed until the present day, a system of free non-sectarian schools has been successfully worked in Nova Scotia without friction and without imposing on any conscientious Catholic the invasion of any religious scruple or the impairing of any rights of his Church. After fifty years of non-sectarian schools, may it not be said that there are as good Catholics in

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Nova Scotia as in any other part of the Dominion, and that the Church is in as healthy and sound a condition as in any of the Provinces where separate schools have been and are in operation?

The political consequences of the measure to Dr. Tupper and his party are not easy to determine. The school question was overshadowed very soon by the greater question of Confederation; but there are many grounds for believing that the application of the school tax in 1866 and 1867 was a large factor in determining the result of the general elections of 1867. The belief at the time was that the Archbishop had offered to Dr. Tupper the Catholic vote in exchange for separate schools. Nova Scotia may well thank Heaven that she was vouchsafed a man endowed with the ability, courage, and firmness, in the face of such opposition and of such temptations, to endow his native province with the noble gift of non-sectarian schools.

In 1867 Dr. Tupper's party was annihilated at the polls, and an Anti-Confederate Government, elected very largely by the votes of those who had resented the imposition of taxation for schools, came into power; but the incoming Government never ventured to lay a vandal hand upon the Common School Act. To have abolished this measure would have been an inconceivable outrage which no responsible administration would have dared to attempt. Some efforts were made

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to incorporate a separate school system after 1867, but these were not successful. The school law of 1864-65 has remained in successful operation to this day.

Dr. Tupper had to face another awkward and delicate educational question during 1864. The college question, at an earlier period, had created much controversy. Mr. Howe was in favour of a provincial university, unsectarian in its character and uniting the educational forces of the Province. Mr. Johnstone was the champion of denominational colleges, and won. King's College was the first to obtain a royal charter, but it was under the control of the Church of England and applied tests. Then the Castine fund was made available for the erection of a college. This fund was the result of the successful occupation of a Maine port by the British during the War of 1812, and amounted to over £10,000. Part of this fund, £6,750, was devoted to the erection, on the Grand Parade in Halifax City, of a college named Dalhousie, after its founder the Earl of Dalhousie. This college subsequently obtained special grants of about £8,000 from the Provincial Legislature—the latest grant of £5,000 being advanced in the form of a loan. It had little success in its earlier stages because it had no denominational backing. As we have seen, the Baptists, the Roman Catholics and the Methodists had each established their own college, and denominational zeal was

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behind each of them. The Presbyterians were the largest body of Protestants in the Province, but they had no special college, and whatever educational efforts they put forth were devoted to Pictou Academy and an institution located at Westville, Pictou County. As a result, Dalhousie College had scarcely any life in 1862, when an effort was made to resuscitate it and place it upon a strong basis. It was proposed to get an Act of incorporation for the appointment of certain influential men as provisional Governors, and for the addition of others upon certain qualifying conditions. Mr. Howe, Dr. Tupper, Mr. Young, and Mr. S. L. Shannon were the Governors named in the Act of incorporation. It was the purpose of the promoters that the college should be a provincial university, entirely undenominational and under the control of a composite board of governors, but the chief reliance for sustaining the college was upon the active co-operation of the Presbyterian body.

In 1863 an Act was submitted to the Legislature by Mr. Howe, the leader of the Government, incorporating this Board of Governors and providing that whenever any religious denomination should contribute \$1,200 a year to support a professor, it should have the right to nominate a governor and a professor. The proposition was seemingly fair on its face, but, as all the other religious bodies of any strength had their own

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colleges to support, it was quite clear that whatever support the university would obtain under this legislation would come from the Presbyterian body, and it was understood in advance that this denomination would at once apply for three professorships.

If there were any objections to this measure, which did not contemplate any additional monetary aid from the Province, they ought to have been made when the Bill was before the Legislature. The records show that it was scarcely discussed, met with no opposition whatever, and passed without division. Then the friends of the other colleges suddenly awoke to the fact that whereas their colleges had been built by the efforts of their respective denominations, the Presbyterians were to have Dalhousie College virtually handed over to them, together with public endowments, most of which had been contributed from the Treasury. These were the actual and practical objections. The University about to be brought into life was to be strictly non-sectarian and in no way subject to the control of the Presbyterian body; yet, as practically it would depend upon that body for its students and would supply the higher educational needs of that sect, there was some foundation for the objections that Dalhousie college would be to all intents and purposes a Presbyterian institution.

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When this legislation, therefore, began to be understood by the professors and friends of the other colleges a strong opposition developed, the lead being taken in this movement by the Baptists. Petitions were circulated, numerous signed, and presented to the Legislature early in the session of 1864. Mr. Avard Longley, one of the members for Annapolis, a Baptist and a friend of Acadia College, was the gentleman selected to champion the cause of the other colleges, and to protest against what were alleged to be unfair advantages conferred upon the Presbyterian body. Toward the end of the session Mr. Longley moved a resolution which after reciting fully the antecedent facts concluded as follows:

“1. That the Act passed at the last session for the regulation and support of Dalhousie College be repealed and the college with its endowments and funds be otherwise appropriated.

“2. That there be required from the Governors of Dalhousie College the payment of the £2,500 loaned from the provincial chest agreeably to the condition upon which said loan was made.”

Mr. Longley enforced his views in a lengthy and vehement speech, in which he plainly foreshadowed that the struggle would go on until justice was done.

The situation had to be met and there was no one to do this effectively but Dr. Tupper; yet it undoubtedly presented many embarrassing fea-

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tures. Dr. Tupper up to this period professed to be a Baptist. Mr. Johnstone, the leader of the Government, was not only a prominent Baptist but had gained great prestige in his early struggles for denominational colleges. Among the petitioners in favour of Mr. Longley's resolution was Dr. Tupper's own venerable father. The Baptists were largely in sympathy with the Conservative party and numerous and influential in Cumberland county. Under such conditions, the ordinary politician would have hesitated, shuffled, and sought to evade the issue. But this was never Tupper's method. He sprang to his feet the moment Mr. Longley, who was a devoted follower, had concluded, and in the most clear, unequivocal, and emphatic manner justified the legislation of 1863, denied that it infringed the rights of any other college, and claimed that it was in the interests of the country that this institution be revived and placed on a solid basis. As an illustration of his extreme boldness it is only necessary to quote his concluding words, which it will be freely admitted are not the words of an opportunist.

"Sir, the honourable member for Annapolis has intimated that this agitation against Dalhousie College will continue until its walls are razed to its foundations and that those who endeavour to sustain it will be buried beneath their ruins. Let me tell him, sir, that, attached as I am

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to the great party with which I am connected, possessing, as I may confess I do, some fondness for the political life, I would infinitely prefer the fate which he threatens to the highest post my country can offer, if it must be purchased by an act so unpatriotic, so unjust as the resolution which he has moved would involve.”

The resolution was defeated, even Mr. Johnstone being constrained by the compelling influence of Dr. Tupper to vote against it. But Dr. Tupper did not escape the consequences of this resolute course. He was openly attacked by the Rev. Dr. Cramp, the president of Acadia College, and other friends of denominational colleges. But their attacks left him unmoved, and, as the following incident shows, he courageously faced the situation. In June of that year Dr. Tupper took care to attend the anniversary exercises of Acadia College. He was now Premier of the Province, but he was coldly received. His chance to defend himself against his enemies came at the dinner of the Alumni Association on the afternoon of the anniversary exercises. He was a member of this body and had a right to attend the dinner, of which he availed himself. He was given no welcome nor was he asked to sit at the head of the table. He was content to take his place near the foot. Soon after a friend arrived late and took a seat near him, observing: “Like myself, you must have been late, Dr. Tupper,

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or else you would have been sitting at the head of the table."

Dr. Tupper smiled and simply remarked: "Wherever MacGregor sits there is the head o' the table." But soon the toasts and speeches began and at the first suitable moment Tupper was upon his feet and spoke at length, boldly defending his action in the matter of Dalhousie College, and challenging the judgment of enlightened men. Some of the more narrow-minded of those present were very angry, for they had no opportunity to reply, but others were filled with admiration at his boldness in thus justifying his course in the camp of the enemy.

Dalhousie University has steadily expanded ever since its resuscitation, but this has had no appreciable influence in displacing or even diminishing the support of denominational institutions, which have kept pace with the growth of Dalhousie. As a consequence, Nova Scotia, with less than half a million people, is supporting six chartered colleges.

CHAPTER III

CONFEDERATION (1864-1870)

BUT all the important legislation initiated by Dr. Tupper in 1864 pales in ultimate result before his resolution in favour of a conference of the Governments of the three Maritime Provinces for the purpose of considering a union of these Provinces. In moving this resolution requesting His Excellency, the Administrator of the Government, "to appoint delegates (not to exceed five) to confer with delegates who may be appointed by the Governments of New Brunswick and Prince Edward Island, for the purpose of considering the subject of the union of the three Provinces under one Government and Legislature," he remarked:

"I am satisfied that looking to immigration, to the elevation of public credit, to the elevation of public sentiment which must arise from enlarging the sphere of action, the interests of these Provinces require that they should be united under one Government and Legislature. It would tend to decrease the personal element in our political discussions, and to rest the claims of our public men more upon the advocacy of public questions than it is possible at the present moment whilst these colonies are so limited in extent."

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The question of a union of the whole of British North America had been freely discussed before this date, and far-seeing men had had visions and dreamed dreams of a United Canada. As early as 1688 Francis Nicholson, Governor of New England, had advocated the confederation of the British Provinces in North America. In 1764 Thomas Pownall, "Late Governor, Captain-General, Commander-in-chief and Vice-Admiral of His Majesty's Provinces, Massachusetts Bay, and South Carolina, and Lieutenant-Governor of New Jersey" put forward in *The Administration of the British Colonies* a plan for uniting the British Dominions, including, of course, those colonies which afterwards revolted, "in a full and absolute communication and commission of all rights, franchises and liberties, which any other part of the realm hath, or doth enjoy, or ought to have and to enjoy; in communication of the same burthens, offices and emoluments; in commission of the same federal and commercial rights; in the same exercise of judicial and executive powers; in the same participation of Council, and that therefore in the course and procedure of our government with the Colonies, there must arise a duty in government to give, a right in the Colonies to claim, a share in the legislature of Great Britain, by having Knights and Burgesses of their own election, representing them in Parliament." In 1814, Chief Justice Sewell of Quebec, in a letter to the Duke

CONFEDERATION PROPOSALS

of Kent, urged a Federal Union of British North America. Lord Durham in his famous *Report* favoured a similar union—a union in which “the separate Legislature of each Province would be preserved in its present form, and retain almost all its present attributes of internal legislation; the Federal Legislature exercising no power, save in those matters of general concern, which may have been expressly ceded to it by the constituent Provinces.” In the turbulent times of the Rebellion Losses Bill, the British America League which met in Toronto in 1849 freely discussed the necessity of union of the British American Provinces. But it was left for Nova Scotia to begin the legislative discussion of this important question. In 1854 Mr. J. W. Johnstone moved: “that the union or confederation of the British Provinces on just principles, while calculated to perpetuate their connection with the parent state, would promote their advancement and prosperity, increase their strength and influence, and elevate their position—that his Excellency the Lieutenant-Governor, by address, be respectfully requested to make known to the Queen, and to the sister Provinces of Canada, New Brunswick, and Prince Edward Island his opinion, and the desire of the House to promote the object; and that his Excellency, by correspondence with the Imperial and Provincial Governments, and all other means in his power, be urged to facilitate the consideration of a

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measure, which, if matured on principles satisfactory to the several Provinces, and calculated to secure their harmony and bring into action their consolidated strength, must result in benefits of inestimable value.”¹ Confederation was in the air. Galt in 1858 pressed the question in the Legislature of United Canada and his action resulted in a deputation consisting of three members of the Government of Canada, Cartier, Galt, and Rose, being sent to England to confer with the Imperial Government on the question. The deputation was graciously received by Sir Edward Bulwer Lytton, Secretary of State for the Colonies, and informed that the Imperial Government would gladly authorize a conference on the subject, but that it could only do so if a desire to that effect was expressed by all the colonies interested. Howe had long been advocating a broader scheme of Imperial Federation, but was not averse to local action as a step towards the larger measure. The question received the close attention of Dr. Tupper. He studied it from every angle, and in 1860 at the opening of the Mechanics’ Institute, St. John, New Brunswick, delivered a lecture on “The Political Condition of British North America”. In this lecture, in many ways one of the most remarkable of his career, he strongly urged Confederation as a solution of the political difficulties which beset Canada, and as opening a

¹ Campbell, Duncan: *History of Nova Scotia*, p. 433.

A PROPHETIC LECTURE

field for national statesmanship. He was thoroughly dissatisfied with the status of the British North America Provinces. "Our position," he said, "is ever one of uncertainty. We have no constitution but the *dicta* of the ever-changing occupants of Downing Street, who can only see us through the glasses furnished them by those whom accident has sent into what is regarded as the temporary exile of a colonial governorship, and whose feelings, sympathies, and interests are entirely foreign to our own." He was critical of the method of colonial government practised by Great Britain. "Was it such," he asked, "as to meet our material progress and satisfy the natural and laudable ambition of free and intelligent minds"? "It must," he said, "be evident to everyone in the least degree acquainted with our history, that at present we are without name or nationality—comparatively destitute of influence and of the means of occupying the position to which we may justly aspire. What is a British-American but a man regarded as a mere dependent upon an Empire which, however great and glorious, does not recognize him as entitled to any voice in her Senate, or possessing any interests worthy of Imperial regard? This may seem harsh, but the past is eloquent with illustrations of its truth. What voice or influence had New Brunswick when an English peer settled most amicably the dispute with an adjoining country by giving away

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a large and important slice of her territory to a foreign power? Where were the interests of these Maritime Provinces when another English nobleman relieved England of the necessity of protecting our fisheries by giving them away to the same Republic without obtaining any adequate consideration for a sacrifice so immense? . . .

“It may be said that we were a party to the negotiation of that treaty [the Reciprocity Treaty of 1854], but it is not so. The very mode in which the colonies interested were invited to participate was simply an insult. They were permitted to *concur* but not consulted in the arrangements.”

The lack of opportunity for Colonial men of talent oppressed his spirit. “The systematic exclusion,” he complained, “of colonists from gubernatorial positions must forever prevent us from having great men. The human mind naturally adapts itself to the position it occupies. The most gigantic intellect may be dwarfed by being ‘cabin’d, cribb’d, confined’. It requires a great country and great circumstances to develop great men.”

But while in this lecture Dr. Tupper proved himself emphatically a politician of the “Canada First” school there was in his utterances no note of disloyalty to Great Britain. The union and solidarity of the Provinces would give greater strength to the Empire. The more liberty given

CONFEDERATION FORESHADOWED

the Provinces, the greater opportunities thrown open to their sons, would but build up on this side of the Atlantic a confederation that would "be in a position to strengthen the hands of the parent state and share her glories in the cause of human civilization and progress".

The closing paragraph of this lecture shows intense pride of country and a prescience that in the light of Canada's present history is remarkable:

"Our climate is more healthy than that of England; the fertility of the soil is unsurpassed by hers; our geographical position relative to the New World is the same as she occupies to the Old; our equally magnificent harbours present the same facilities for commerce; while the iron and coal, and the limestone—the possession of which has rendered her the greatest manufacturing mart of Europe—here abound to any extent in close proximity and of the most excellent quality. Who can doubt that under these circumstances, with such a confederation as these five Provinces—to which, at a future day, the great Red River and Saskatchewan country, now in possession of the Hudson's Bay Company, and British Columbia, on the Pacific coast, would be added—as would give us the political position due to our extent of area, our resources, and our intelligent population—untrammelled either by slavery or the ascendancy of any dominant Church—presenting almost the only country where the great principles

of civil and religious equality really exist, British America, stretching from the Atlantic to the Pacific, would in a few years exhibit to the world a great and powerful organization, with British institutions, British sympathies, and British feelings, bound indissolubly to the Throne of England by a community of interests, and united to it by the Viceroyalty of one of the promising sons of our beloved Queen, whose virtues have enthroned her in the hearts of her subjects in every section of an Empire upon which the sun never sets?"

Dr. Tupper did not pretend that the union of British North America could be immediately accomplished, but he put it forward as an object to be aimed at, an end to be achieved. He regarded a movement for a Maritime union as an important step toward the accomplishment of the larger scheme. This lecture did not attract any serious attention at the time; it was merely regarded as one more expression of a vague dream. It was, however, in practical furtherance of this idea that in the winter session of 1864 he proposed his resolution authorizing the Government to enter into correspondence with the sister Provinces with a view to a congress. The matter was not very fully discussed nor was it made a party question, but it was readily adopted by the House.

Soon after the end of the session of 1864, Mr. Johnstone was appointed Judge in Equity, and Tupper, as we have seen, became Prime Minister,

THE CHARLOTTETOWN CONFERENCE

Mr. W. A. Henry succeeding Mr. Johnstone as Attorney-General.

Dr. Tupper promptly put himself in communication with the Governments of the other Provinces, and obtained their concurrence in a conference, which it was finally arranged would meet in September at Charlottetown, Prince Edward Island. The next duty was the selection of delegates. That he should be one, and Mr. Henry, the Attorney-General another, was inevitable, and he selected Hon. Robert Barry Dickey of Amherst, a wealthy member of the Legislative Council and a devoted friend and supporter, as a third. It was necessary, he conceived, in order to give this large matter a position above the conflicts of party, that the Opposition should be represented. Naturally, Hon. A. G. Archibald, the Liberal leader, would be a delegate. Mr. Howe was not then in public life, but was devoting himself to his duties as Imperial Fishery Commissioner, but Dr. Tupper recognized that, in breadth of view, ability, and weight in the councils of his party, Howe stood far above all others in the Province. So, in spite of the bitterness which had marked their previous relations, he offered the second place on the delegation to him. Mr. Howe replied in writing, expressing his sense of the compliment offered, and his sincere regret that his duties at that season of the year would make it impossible for him to attend; intimated his hope that the con-

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ference might be successful, and declared that if a fair scheme were propounded he would give it his support. This correspondence is important, because it relieves Dr. Tupper from the charge often made of ignoring Howe in this movement toward union, and thereby provoking his great rival's hostility to Confederation. Mr. Howe having declined, the seat was next offered to Mr. John Locke, a Liberal member from Shelburne County, a very worthy business man, but not especially adapted to deal with large questions. He was not able to accept and the vacant place on the delegation was then bestowed on Mr. Jonathan McCully, the Liberal leader in the Legislative Council. Probably Dr. Tupper did not altogether regard him as a *persona grata*, Mr. McCully not being either an amiable or popular man; but he had ability, and could not fail to be a source of strength to a body of statesmen dealing with any large question.

The Conference met at Charlottetown on 1st of September, 1864. The delegates had scarcely organized before it became evident that a Maritime Union was practically impossible, as the delegates from Prince Edward Island flatly refused to consider any scheme unless the capital was fixed at Charlottetown. As this little city is on an island, and, at that time, was almost inaccessible in the winter months, such an arrangement could not possibly be agreed

THE CHARLOTTETOWN CONFERENCE

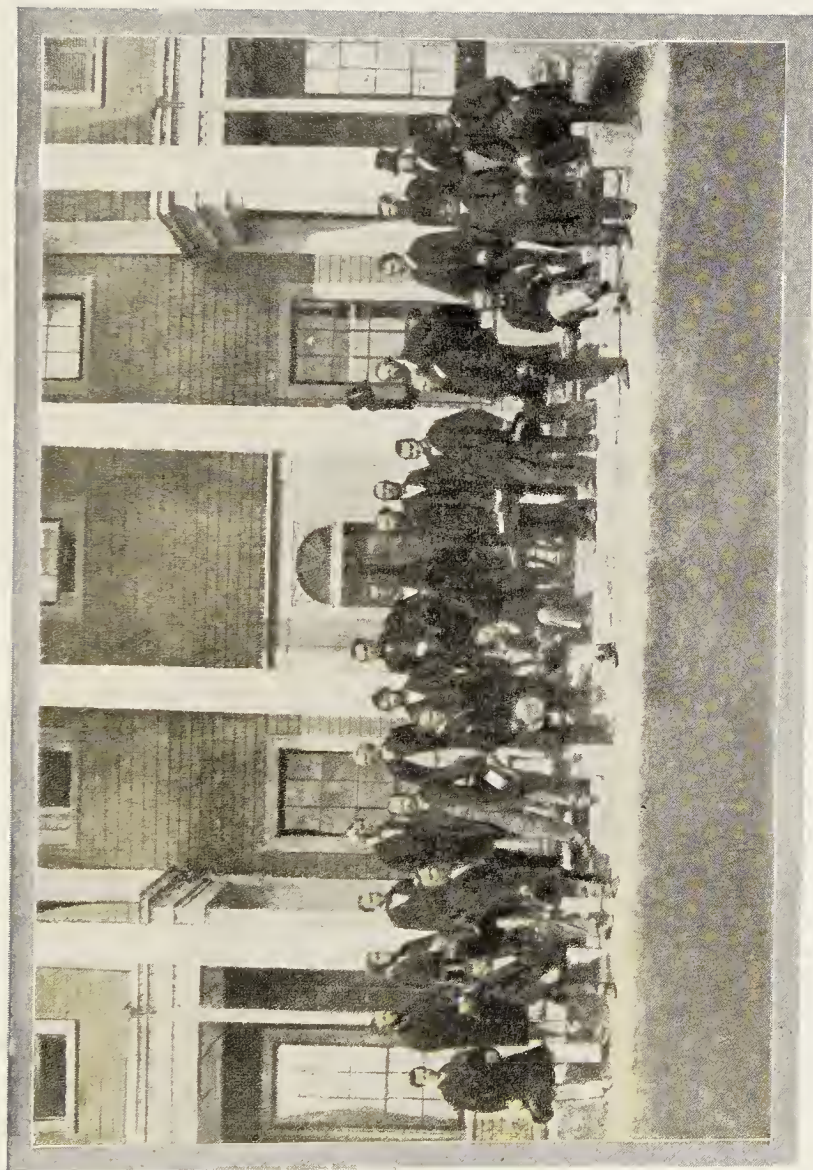
to by the delegates from the two larger mainland provinces.

But while this conference, intrinsically, is of no historical importance, and while under ordinary circumstances it would have broken up without result, its consequences proved to be vast and far-reaching. It met soon after the coalition government had been formed in Canada—as Ontario and Quebec were then designated—to make an effort to break the deadlock which for some years had disturbed political conditions in that Province. John A. (afterwards Sir John) Macdonald and George Brown conceived the idea that it provided a convenient opportunity for securing a discussion of the question of the Union of Canada and the other British North America provinces, so the Canadian Government sought the privilege of meeting the delegates for the Maritime Conference. This was obtained, and John A. Macdonald, George Brown, Georges É. (afterwards Sir Georges) Cartier, Alexander (afterwards Sir Alexander) Tilloch Galt, William McDougall, Thomas D'Arcy McGee and Hector L. (afterwards Sir Hector) Langevin, appeared in Charlottetown on the 2nd of September, explained the situation, and proposed that the Maritime delegates should adjourn to meet at an early day in Quebec in conference with the representatives of the Canadian Government, for the purpose of considering the formation of a union of all the pro-

vinces of British North America. This proposition was assented to, and it was determined that Newfoundland should also be invited to send delegates. The Conference was duly convened at Quebec on the 10th of October, 1864, and, after long deliberation, framed a scheme of union which is the basis upon which Confederation was finally adopted.

During the visit of the Canadian ministers to the Maritime Provinces they were entertained at several of the leading cities and towns, and these public gatherings afforded an excellent opportunity for the discussion of the larger phases of Confederation. The first of these demonstrations was at Charlottetown, where a public banquet was given to the distinguished visitors. On this occasion Dr. Tupper made the following observations:

“I feel assured that all will endorse the sentiment that it is our duty and interest to cement the colonies together by every tie that can add to their greatness. A union of the North American provinces would elevate their position, consolidate their influence and advance their interests; and, at the same time, continue their fealty to their mother country and their Queen, which fealty is the glory of us all. The British-American statesman who does not feel it his duty to do all in his power to unite politically, socially and commercially the British provinces is unworthy of his position and is unequal to the task submitted to him.”



CHARLOTTETOWN CONVENTION, 1864

From a photograph

A PRACTICAL ISSUE

Dr. Tupper presided at the banquet given at Halifax to the Canadian delegates and introduced them in the following terms: "I have had the pride and satisfaction on the present occasion of asking my fellow citizens in Halifax to testify their appreciation of the visit of so many distinguished public men from all these provinces. I am perhaps safe in saying that no more momentous gathering of public men has ever taken place in these provinces, whether regarded as comprising the ablest men not only of one party, but of both the great parties into which all the colonies have been divided."

Before the Canadian delegation arrived Tupper was a firm believer in the union of the colonies. The only question in his mind was the opportune time and circumstances for its accomplishment. The visit and the proposals of the Canadian delegates seemed to elevate the matter into a practical issue. He was not blind to the many difficulties which would have to be overcome before such a far-reaching measure could be achieved, but, now that it had taken shape for practical action, he was ready to meet all the difficulties and dedicate every energy to its accomplishment. Some politicians are forever haunted by fears and hesitate to make a bold plunge on behalf of a great measure. They prefer to wait timidly and note the drift of public opinion before committing themselves. Whatever may

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have been Tupper's faults, opportunism was not to be reckoned among them. When firmly convinced that a public measure was sound and right all hesitancy vanished. He gave without reserve all his strength to its achievement, and no difficulty, or even temporary defeat, daunted him for a moment.

One of the most interesting political results of these conferences between the statesmen of Canada and those of the Maritime Provinces was the bringing together of two men notable in Canadian history—John A. Macdonald and Charles Tupper. Mr. Macdonald had a keen political instinct, and was a practical every-day type of politician, aiming to accomplish things which were within sight and eager to avail himself of the services of men who could be useful in carrying forward his schemes. His unerring instinct perceived in Dr. Tupper a man capable of doing things, and he instantly sought his alliance and co-operation. The combination of the political forces of these two men continued until long after Confederation and had results which the closest study and the nicest judgment will have difficulty in measuring. Without undervaluing the merits of other public men of the Maritime Provinces, such as S. L. (afterwards Sir Leonard) Tilley, and A. G. Archibald, Mr. Macdonald instantly recognized that the one man upon whom he could rely in realizing the great work of Confederation

POLITICAL METHODS

was Tupper. He was right. Tupper was possessed of masterful qualities. To a clear intellect were added indomitable courage and a seriousness of manner and action which impressed all who were brought into contact with him. He was not one of those easy-drifters who wait upon Providence, avoid all dangers, and get on by amiable negation; Tupper always knew his own mind, always had a clear idea of what he believed should be done, and was ready to give to the work in hand all the vigour and force of his nature. He did not shirk responsibilities, or waste his time in wooing the chances of fortune, as many successful politicians do. His methods were direct. He declared openly and unequivocally what he proposed to do and depended upon main force to remove difficulties and secure success. In this respect he was, and remained, a unique figure in the public life of Canada; a dynamo of force, he depended upon his own strength and persistence to accomplish the objects he had in view.

According to Sir Joseph Pope, Macdonald and Tupper formed "an alliance, offensive and defensive, and the arrangement there entered into remained unbroken until dissolved by death". The following extract from a letter written at Quebec on November 14th, 1864, by Macdonald to Tupper, shows that even at this early period each had full confidence in the other:

"I intend to commence next week to draft the

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Bill to be submitted for the consideration of the Imperial Government, and shall be glad to get from you such hints or suggestions as may occur to you.

“Have you formed any plan as to the mode in which you will submit the subject to your Parliament?

“In looking over our resolutions, I see a mistake has crept in. We have given power from time to time to the Local Legislatures to alter the constituencies sending members to the General Parliament. Now, this is an obvious blunder, and must be corrected.

“I shall be obliged by your giving me your ideas as to the general administration—the number of the Executive and the distribution of Departments. This must all be wrought out, and, if possible, form a portion of the Imperial Act. I have not thought this branch of the subject over, but mean to do so at once. So soon as I can form a *projet* I will transmit it to you. So please reciprocate.

“I have not forgotten the compact we made here, and will act strictly and cordially up to it.”¹

The Quebec scheme was published soon after the Conference, though it was intended to be kept secret until the first legislature should meet

¹ Pope, Sir Joseph: *Memoirs of The Right Honourable Sir John Alexander Macdonald, G.C.B.*, pp. 271-272.

OPPOSITION TO CONFEDERATION

in any province concerned. Its publication at once called forth profound opposition in the Maritime Provinces. The circumstances in these Provinces were somewhat different from those which existed in Canada. In Canada the people had become weary of deadlock, the tariff was high, and the public debt large. Confederation there was removed from the region of party politics, as the more powerful leaders of both parties were actively supporting it. In Nova Scotia, New Brunswick, and Prince Edward Island provincial affairs had been going on smoothly. Deadlock had not paralyzed legislation and disturbed political conditions. The tariff was low; the public debt small, and the provincial revenues were steadily increasing. Confederation bade fair to disturb the existing conditions of trade to which the merchants were accustomed. General prosperity prevailed, and business men shrank from any radical change. Then, too, Canada was an unknown factor; trade relations with it had been very slight, and the means of access to it were limited. The faction fights in Canada had been reported in exaggerated form and had excited prejudice; the people of the Maritime Provinces feared to cast in their lot with such a quarrelsome community. All these reasons contributed to evoke immediate, active, and wide-spread opposition to the scheme of union. Discussion, education, and large appeals to national sentiment were

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necessary to overcome the opposition to the far-reaching changes proposed.

In New Brunswick a general election was due, and it was in that province that Confederation was to receive its first baptism of the fire of popular sentiment. Mr. Tilley was at the head of the Government and a popular and trusted leader. His first lieutenant was Mr. Peter Mitchell, at that time the most adroit politician and the most picturesque figure in the public life of New Brunswick. But the anti-Confederate party at once rallied under Messrs. Albert J. (afterwards Sir Albert J.) Smith and T. W. Anglin, and prepared to contest every seat on the question of Confederation. The election resulted in the defeat of the Unionists and the election of a large majority of anti-Confederates. This news was hailed with unrestrained delight by the anti-Confederates of Nova Scotia and Prince Edward Island, and for the moment the project of Confederation was looked upon as dead. This action of New Brunswick was fatal to Union for the time being. That there were indications of profound hostility to the scheme in Prince Edward Island and Newfoundland was not so serious. These islands it was desirable to have in the Dominion, but a union could be formed without them; New Brunswick, on the other hand, stood immediately adjoining Canada, and no union was practicable without that province.

ANTI-CONFEDERATION PARTY

It did not need the New Brunswick episode to give vigorous life to the anti-Confederate sentiment in Nova Scotia. Soon after the publication of the Quebec resolutions the antagonism to Confederation became widespread. But the circumstances at the outset were favourable to the Unionist cause. Messrs. Archibald and McCully were the recognized leaders of the Opposition. Having been delegates to the Conferences at Charlottetown and Quebec, they were committed to the scheme and gave it their full, steady, and loyal support. This tended to deprive the question of the character of a party issue. Mr. McCully was editor of the *Morning Chronicle*, the organ of the Liberal party; he wrote editorials strongly favouring the Union, and these were read by all the leading Liberals of the province. The Confederates called a meeting in Halifax at which addresses were made on behalf of the Quebec scheme by Tupper, Archibald, and other prominent men of both parties. Some days afterwards a meeting was held in the same hall by those hostile to Union, and it proved a notable demonstration. Those opposed to Confederation had not an array of political leaders on the platform as speakers; it was a people's battle, and the significance of the meeting was found in its intense enthusiasm and in the fact that leading Conservative supporters of Dr. Tupper were among the speakers, including Messrs. A. M. Uniacke, P. Power, and,

above all, A. G. Jones, destined to become an important factor in the political life of the country, who now made his first public appearance, delivering the most effective speech against the Union. On this occasion, too, Mr. Annand and other leading Liberals were heard. It was an interesting incident of the meeting that Mr. Joseph Howe, who had been out of public life for two years, sat upon the platform, though he took no part in the meeting. What course he would take at this crucial moment was a matter of tremendous import. Although the feeling towards Confederation was hostile, yet, in the absence of any able opposition leader, Tupper, aided by Archibald, might be able to stem the tide and crush by the weight of his personal power, supported by a well-organized force of trained politicians, the inexperienced men who were opposing him.

The public had not long to wait. The *Morning Chronicle* was owned by Mr. Annand, and it was easy for him to dispense with the services of Mr. McCully as editor and resume control of its editorial columns. This was done the day after the meeting. Mr. McCully had written a mild editorial, minimizing the character and effect of the meeting, a flaming account of which was published simultaneously in the news columns of the *Morning Chronicle*. But the following morning appeared an editorial entitled "The Botheration Scheme, No. I", tearing the Quebec resolu-

HOWE IN OPPOSITION

tions to tatters, in that inimitable and trenchant style that Nova Scotians had been long accustomed to—the handiwork of only one possible man, Joseph Howe. The die was cast and no man realized more fully than Tupper himself the terrible struggle before him, confronted, as he now was, by the most electrifying and convincing orator that British North America has produced. But let no man imagine that he was daunted, even in the slightest degree. Such a word as fear was not in Tupper's vocabulary, and he awaited the result with calm assurance, never, even under the most adverse conditions, for an instant doubtful of success.

The session of 1865 was a somewhat trying one for Tupper. The popular wave against Confederation had risen to such a height that a large number of his supporters in the House had ceased to resist its force. A number were thoroughly hostile, and, if a vote had been precipitated that session, the result was not open to doubt. Two recent by-elections had been decisively unfavourable to the Government. The New Brunswick elections had emboldened the opponents of the Union to a point of infatuated confidence. It was Tupper's determination that no vote should be taken. But the question had to come up in some form as a safety valve; for, so dominant was the issue, the members must talk about it, and Tupper determined that it should come up on his own initiative and under

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conditions which he should prescribe. Consequently, on the 10th of April, 1865, he moved the following resolution:

“Whereas under existing circumstances an immediate union of the British North America colonies has become impracticable, and whereas a legislative union of the Maritime Provinces is desirable, whether the larger union is accomplished or not:

“Therefore:—Resolved that negotiations be renewed for a union of Nova Scotia, New Brunswick, and Prince Edward Island.”

In a letter of May 10th, 1865, to Sir Richard Graves Macdonnell, Lieutenant-Governor of Nova Scotia, Dr. Tupper clearly sets forth the political situation and his reason for moving this resolution.

“On our return, an opposition to the proposed Union was organized in this city [Halifax] by a number of the mercantile men of both parties, associated with active opponents of the Government.

“The Government, although supported on general questions by a large majority in the Legislature, were in a most disadvantageous position to meet this unlooked-for opposition. During the previous session, they had imperilled their popularity by a patriotic effort to improve the common school education of the country by introducing the obnoxious system of compulsory assessment. Under the operation of that law, the

A CRITICAL SITUATION

whole country had been recently excited, and an immense amount of hostility towards the Government induced, destroying the confidence of many members supporting the Government in the security of their positions in case of an appeal to the people.

“Notwithstanding the zealous efforts of Messrs. Archibald and McCully, the opponents of Confederation rallied round their standard the great body of the party opposed to the Government, largely reinforced by those whom opposition to assessment for schools had rendered disaffected, and by numbers whose fears had been excited by the statement that Union with Canada would involve a large increase of taxation. On the other hand, the Government, having obtained the aid of leading members of the Opposition upon the delegation, could not rely upon the party support which would, under other circumstances, have been available. I am sure that I need not say to you who have witnessed our efforts, that all that the members of your Government, ably aided by Messrs. Archibald and McCully, could do to stem the current setting thus strongly against Confederation, was done. In the press and on the platform, in various sections of the country, the most determined exertions were used to disabuse the public mind of the prejudices raised against the proposed Union. Just at this crisis, when the demand was loud that nothing should be

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done without a previous appeal to the people at the polls, the Legislature of New Brunswick was dissolved in order to afford the electors of that province an opportunity of expressing their opinion on this question.

“When our Legislature met it was at once ascertained that it was impossible to obtain a decision in favour of the scheme on account of the feeling of alarm which had been excited throughout the country. It would have been obviously fatal to the cause of Confederation in New Brunswick to allow a hostile vote to be recorded here pending their elections, and all we could do under those circumstances was to postpone the discussion of the question. When the election in that province resulted in an overwhelming defeat of the scheme, but fourteen out of forty-one members having been returned in favour of it, the difficulty of obtaining any expression of approval here was increased, as members who might have been disposed to sacrifice their own position to achieve an important object would not be willing to do so without any practical result to be attained. It was considered by the Government and the delegates belonging to the Opposition to be of the highest importance to prevent the Legislature being committed to an expression of feeling against Confederation, and, after the most anxious deliberation, it was decided that that object could be best effected

AN ADROIT POLITICAL MOVE

by the passage of a resolution authorizing negotiations to be re-opened for a Legislative Union of the Maritime Provinces.

“There were many reasons which suggested this course of action as desirable. While the opponents of Confederation professed great favour for the lesser union, the Government and friends of the Quebec scheme here had ever regarded the legislative union of the Maritime Provinces as not only calculated to promote the larger union, but in the highest degree desirable in case of federation. Two of the principal objections urged against the proposed Confederation, the want of unity of action among the Maritime Provinces and the insignificant position of the local Governments and Legislatures under Confederation, would both be effectually removed by the legislative union of these three provinces. In the present condition of New Brunswick, some such step appeared to be the best calculated to remove the obstacle to Confederation which had arisen there.

“If, on the other hand, as was not unlikely, the proposal to carry out the scheme for a union of the three provinces was not entertained by New Brunswick, it would remove the consideration of that question out of the way of the discussion of the greater union, and thus favour the adoption of the latter.”

The consummate adroitness of Tupper in re-

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opening the question of a union of the Maritime Provinces is easily discernible. The announcement that a union of the British North America colonies had become impracticable was intended to soothe and reassure those who had become the victims of the panic which popular manifestations had created. These men did not perceive the significance of the word "immediate", so artfully inserted, and it disturbed no one that there should be another harmless move in the direction of Maritime Union, concerning which most persons were quite indifferent.

An ordinary politician would have made a quiet and apologetic speech and thus have allowed the matter to blow over. But this was not Tupper's method. He believed in Union and had a fixed purpose that such a union should be formed, and so he took advantage of this harmless resolution to make one of the most powerful speeches of his life in support of Confederation. While affirming that the matter was now impossible owing to New Brunswick's attitude, he proceeded for two hours to speak in masterly terms of the advantages of the larger union, which speech he took care should be widely circulated. A long debate ensued, with interminable talk about Confederation, but the resolution was adopted, and thus Tupper had avoided any adverse action while at the same time boldly proclaiming his belief in the desirability of Confederation.

THE FENIAN MENACE

In 1866 the situation changed. The Government of Mr. Smith in New Brunswick had been having a hard time in spite of its overwhelming majority. New Brunswick is, and always has been, one of the most intensely loyal provinces of Canada, probably due to the United Empire Loyalist origin of the people. Fenian raids were threatening, and this stirred New Brunswickers to the depths, and convinced them of the need of the British North America provinces being in a position to show a united front to external enemies. The Secretary of State for the Colonies was sending despatches to the Lieutenant-Governor strongly urging Confederation as an Imperial measure. From the time he came into power Mr. Smith had shown a fatal capacity for blundering in his general administration, and this had cost him the loss of some of the most powerful men in his party. The Fenian attitude, the despatches of the Secretary of State for the Colonies, and Mr. Smith's blunders all worked against the Government, and an election in 1866 in York county, contested upon the Confederation issue, resulted in the conversion of an anti-Confederate majority of nearly six hundred into a Unionist majority of over seven hundred.

The New Brunswick Legislature met on March 8th, 1866. It had unfortunately been found necessary that the Lieutenant-Governor should put in his speech a paragraph in which he stated that he

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was “ directed to express to you the strong and deliberate opinion of Her Majesty’s Government that it is an object much to be desired that all the British North America colonies should agree to unite in one government”.

As the Government was responsible for the utterances of the Lieutenant-Governor in the speech from the Throne, this expression was fatal to the Government, and its downfall was a foregone conclusion. It still clung to office, but its prestige was at an end and its power had ceased. At length, on April 13th, Mr. Smith resigned, and a Confederation Government, under Messrs. Mitchell and Tilley, was immediately formed. A dissolution took place, and in the general election held in May and June a large majority was returned to support the Union. Thus in one year the situation for the Confederates in New Brunswick had changed from despair to glowing hope.

The Legislature of Nova Scotia met early in 1866. The situation in New Brunswick had not then fully developed, but enough was known of the changed conditions to make it reasonably clear that that province was about to give its adhesion to Confederation. By this time the anti-Confederate party was well organized in Nova Scotia. In the House of Assembly Mr. Stewart Campbell of Guysboro had been chosen its leader and it was believed that a majority in the House was inexorably opposed to Confederation.

A CONVERT TO CONFEDERATION

Every one was waiting with intense interest to see what course Tupper would take.

Fate played into his hands. One of the most active opponents of Confederation at that time was Mr. Wm. Miller, a very young member who had been elected as an independent supporter of Tupper in 1863, and had displayed much independence upon all public questions. When Confederation became an issue he opposed it with great vigour and addressed various meetings in Nova Scotia. One day in April, Mr. Miller rose in his place in the House and made a speech in respect of Confederation, which was a bolt out of the blue. Mr. Miller said in effect that, while the Quebec scheme was open to many objections, there were many reasons why union was desirable, and he made the proposal that delegates be appointed to frame a scheme more just and advantageous to Nova Scotia. This was a stunning proposition to the anti-Confederates, coming as it did from one of the most active opponents of Confederation in the House. The suspicion was at once felt and the charge immediately made that Miller had been "fixed" by Tupper, and this was reiterated and the belief continued until 1874, when Mr. Miller 'brought a libel suit' against the *Morning Chronicle* for declaring, in effect, that he had been "bought" by Tupper. At the trial Dr. Tupper was a witness, and he stated in most specific terms that neither directly nor indirectly

had he offered any inducements whatever to Mr. Miller. He asserted, on the contrary, that he had no previous communication with him and that his statement in the House had taken him completely by surprise. But, if surprised, Dr. Tupper was quick to take advantage of the opening that Mr. Miller's proposition offered, and while declaring that he was not then in a position to give a definite answer to Mr. Miller's proposal said that the matter would receive earnest consideration and early action. In consequence, on the 10th of April, 1866, Dr. Tupper moved the following resolution, which seemed to be an outcome of Mr. Miller's suggestion, although it is probable that he had determined on this course quite independently.

"Whereas in the opinion of this House it is desirable that a Confederation of the British North America provinces should take place:

"Resolved:—That the Lieutenant-Governor be authorized to appoint delegates to arrange with the Imperial Government a scheme of Union which will effectively assure just provisions for the rights and interest of the Province; each Province to have an equal voice in such delegation, Upper and Lower Canada being for this purpose considered as separate provinces."

It was easy to submit this resolution and to enforce it in a speech of unsurpassed eloquence and power; but it was not an easy matter to

A HOSTILE PROVINCE

ensure its passage in a House afflicted with the dread of popular condemnation. The sentiment of the Province was unmistakably hostile and the average member is not usually disposed to commit political suicide. It was in such a situation that Tupper's qualities shone. Most public men would have shrunk from the task. The suggestion of temporizing and delay would have appealed to the majority of political leaders similarly situated. The reasoning would have been: "It is impossible to overcome the difficulties now; the wisest course is to wait a little and give time for popular prejudices to abate and afford an opportunity for the education of public opinion. It requires time to carry any important measure like this and our friends in the other provinces can afford to be patient." But under the conditions then existing such a policy would have indefinitely delayed Confederation and might have rendered it impossible for a generation.

Tupper knew that Canada was adopting the scheme and appointing delegates to meet in London to embody the Quebec resolutions in an Act of the Imperial Parliament. New Brunswick was on the eve of taking a similar course. If Nova Scotia failed to respond now when the moment was ripe for action, either there would be no Confederation or Nova Scotia would be out of it. He apprehended fully the volume of popular hostility and the difficulty of allaying it. The next

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year a general election was due, and on the strength of the unpopularity of the school-tax and the widespread prejudice against Confederation, his opponents, under the leadership of Howe, would be certain to carry the election, and the administration would fall into the hands of the deadly opponents of union, who would exert all their influence in thwarting any steps for obtaining it and in fanning popular sentiment against it. Therefore, if Confederation was to be accomplished, now was the supreme moment. If immense difficulties stood in the way, the more need of extraordinary efforts to overcome them. Among his associates in the cause there were faint hearts who shrank from the attempt to get immediate and irrevocable legislative sanction. They feared that it would bring execration by a baffled and enraged people. But Tupper yielded to no such fear, and remained firm and inexorable in the determination to carry the measure at all costs and hazards.

The opponents of Union in the House had one clear line of action, which they embodied in an amendment to Tupper's resolution, namely, that before any course was adopted which should alter the constitution and change the political conditions of the country the matter be first submitted to the verdict of the people. They reasoned, and with justice, that the House was elected to carry on the affairs of the Province under

A COURAGEOUS STATESMAN

existing conditions, and that no hint had been given at the time of the elections of any intention to subvert the constitution and hand the destinies of the Province over to the control of a central Parliament and Government, in which the people of Nova Scotia would have but a limited voice and representation. Technically, this position was unanswerable. According to the most advanced notions of popular government a radical change in the constitution of the country should not be made without popular sanction. It is one thing for a member to vote for a legislative Act which his constituents abhor and which may be repealed the next session, and another for him to vote that the province be handed over to the control of another country, or absorbed in a union with other provinces. This is irrevocable and, therefore, in theory, at all events, ought to be subject to popular approval. But Dr. Tupper was little concerned about such abstract questions. The supreme thoughts in his mind were that Confederation was essential to the well-being and national existence of British North America and was warmly endorsed by the Home Government as an Imperial measure; that this was the hour to achieve it; and that, if it failed now, no one could foresee the exigencies that might postpone it for an indefinite period. If the majority of the people were at this moment hostile, this was due to prejudice, arising from want of information.

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When the Union was once accomplished, its advantages would be apparent and the popular imagination would be impressed with the importance of a national autonomy and a consolidated state, able to safeguard the interests of the whole colonial population. Therefore, it must be carried now; the future could take care of itself. In apportioning the honours for the achievement of Confederation, great credit must be given to Sir John Macdonald for his steadying influence and his capacity to mould men and events to his will; equal credit must be assigned to George Brown who, in order to create a nation, swallowed intense political prejudices and agreed, against the whole fibre of his being, to serve with and under the man to whom he was implacably hostile. Praise is also due to other authors and founders of Confederation, but few will dispute that none of these eminent and patriotic statesmen was confronted with such huge and apparently insuperable difficulties as was Dr. Charles Tupper. None would have had the nerve and resolution to attempt what he achieved, and to his indomitable will and great force of character we owe the birth of a nation on July 1st, 1867, and not at a later, and, perhaps, fatally late, date, when the acquisition of a priceless North-West might have become impossible, and the whole course of Canadian history might have been diverted into other and less favourable channels.

CONFEDERATION ACHIEVED

It is not necessary to dwell upon the methods by which Dr. Tupper got a majority in the Assembly of Nova Scotia to vote for his far-reaching resolution. Suffice it to say that his vigilance never ceased, that every influence which it was possible to exert was exerted without stint or reserve to overcome the fears and scruples of a timid Assembly. Some of his followers were inexorable to the end and voted against it; but he secured enough for his purpose. It is not necessary to affirm that all these influences were addressed solely to the judgment and conscience of the men with whom he was dealing. Tupper never made pretence of nice scruples; to reach the goal was his supreme object. He had at his command twelve prospective Senatorships and other large patronage, of which it is quite probable he made use. He had the active co-operation of the newly-appointed Lieutenant-Governor, Sir William Fenwick Williams, the hero of Kars and a native of Nova Scotia, and, in the end, secured the defeat of the amendment (18 to 31), and immediately afterwards the adoption of his own resolution (31 to 19). Thus Confederation was achieved. It only remained to appoint delegates to London to meet with those from Canada and New Brunswick to frame the British North America Act, secure the introduction and passage of that measure by the Imperial Parliament, and the issue of Her Majesty's proclamation. The Nova

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Scotia delegates to London were the same as at Quebec, except that Mr. John W. Ritchie, recently appointed Solicitor-General, was substituted for Mr. R. B. Dickey.

Confederation had been rejected by the legislatures of both Prince Edward Island and Newfoundland, and these provinces were not further considered in the proceedings looking to the passage of the British North America Act.

The necessary absence of Dr. Tupper and the other chief friends of Confederation in England during the autumn of 1866 and the winter of 1866-67 gave their opponents the advantage in preparing for the Federal and Provincial elections which would have to be held in Nova Scotia in 1867. Public meetings were called to protest against the scheme and agitation was resorted to in every form. A league was formed in Halifax and money raised to send Messrs. Howe and Hugh McDonald to London to oppose the passage of the British North America Act, or to make its adoption subject to the approval of the people. It is undoubtedly a fact that the refusal of the Government to submit the measure to the people was a potent source of irritation. It enabled Howe to recall the old struggle for popular rights, and the cry that the people had been "sold to Canada" against their will proved everywhere effective. During the session of 1867, when Tupper was again upon the scene, the subject of Confed-

FIRST FEDERAL CABINET

eration was brought up in different forms and incendiary debates took place. Provision had to be made for adjusting the Government and representation of the province to the conditions of a local Assembly under the Federal system. On July 1st, when the British North America Act was proclaimed, Tupper stepped down from the official life of Nova Scotia, and a provincial government was formed under Messrs. Hiram Blanchard, Attorney-General, and P. C. Hill, Provincial Secretary.

When Sir John Macdonald was called upon to form the first Federal Cabinet, he naturally summoned Tupper to become one of the Ministers for Nova Scotia, and he left with him the choice of a colleague. Dr. Tupper selected Mr. Archibald, and these gentlemen left for Ottawa the latter part of June. The story of the complications attending the formation of this first administration has been often told. The trouble arose in Quebec. The number of Ministers was fixed at thirteen, to be apportioned as follows: five from Ontario, four from Quebec, two from Nova Scotia and two from New Brunswick. Sir Georges E. Cartier and his friends demanded three French Cabinet Ministers. As D'Arcy McGee, one of the ablest and most deserving champions of Confederation, was slated for a seat as a representative of the Irish Catholics of Canada, this would either preclude the presence of a Minister representing

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the English of Quebec or necessitate another Minister from Ontario. As Ontario had long chafed under equal representation with Quebec, while its population had become much greater, it was essential at that moment that it should have a larger representation in the Government. Sir John Macdonald thought, and rightly, that thirteen was an amply large Ministry and that severe public criticism would be offered to a larger number. As an English representative from Quebec was essential Mr. McGee's appointment became impossible if three French members were to be chosen from the Province. Days passed in a hopeless endeavour to patch up a truce, but the feeling became more acute as time went on until, with bitterness of spirit, Sir John Macdonald had about concluded that he must abandon the task and advise the Governor-General to send for Mr. George Brown, his bitter rival. Two Liberals who had been in the coalition had been induced by Sir John Macdonald to stand with him in declining to accept Mr. Brown's dictum that, Confederation having been accomplished, the coalition was at an end, and that all those who had accepted office for that purpose should return at once to the Liberal fold. These two men, Messrs. William McDougall and William Pearce (afterwards Sir William) Howland, were to have portfolios in Sir John's administration. They at last became satisfied that the effort to reconcile matters

A GENEROUS PROPOSAL

must prove ineffectual and one morning they went to Sir John and announced that they would leave him. They took the ground "that they could not carry Ontario unless that Province, owing to the larger population, secured a larger cabinet representation than the sister province".¹ At this critical moment, Tupper entered the room and at once scouted the idea of failure. He said that he had seen Mr. McGee and had induced him for the sake of peace to join with him in an act of self-effacement. Both would retire and, in place of Tupper, Mr. Edward (afterwards Sir Edward) Kenny of Nova Scotia, a worthy representative of the Irish Catholics, would enter the Government with Mr. Archibald. This generous proposal was accepted and the new Cabinet at once announced. It must be remembered that Tupper took this step of self-abnegation before the elections had been held and when he had reason to believe that he and his party had a fighting chance of winning in Nova Scotia. He might fairly regard himself as having contributed more to securing Confederation than any other public man in Canada, and no one would dispute that in ability he was surpassed by no man available for a Cabinet position. It must, therefore, be regarded as one of the most striking instances of a "self-denying ordinance"—to use the language of Commonwealth times—in our political history.

¹ Tupper, Sir Charles: *Recollections of Sixty Years in Canada*, p. 53.

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The next ordeal was the election. Tupper went back to Nova Scotia in the middle of July to find a hot campaign in full swing. Howe had traversed the Province and addressed large meetings in nearly every leading town. Anti-Confederate candidates were in the field in every constituency both for the provincial Legislature and for the House of Commons. Day by day the newspapers were emitting violent and inflammatory diatribes, and excitement and bitterness prevailed unexampled in the political history of Nova Scotia. Into the work of rallying his party and stemming the tide, Tupper threw himself with all his might. He held no office, but he overshadowed completely in public regard those who did. He organized his forces, confronted Howe upon the public platform, proclaimed the advantages of Confederation and justified boldly the methods by which it had been accomplished. But, after a time, his attention had to be concentrated upon his own constituency, Cumberland. Annand was chosen as the standard-bearer of the anti-Confederate party, and, so intense was the desire to destroy Tupper, that wealthy men of Halifax subscribed large sums to accomplish his defeat. But he was not without friends who lent financial assistance, and it has been said that he mortgaged and hypothecated everything he possessed to raise means to meet the desperate situation. The result is now a matter of history. Of the nineteen seats which Nova

ANTI-CONFEDERATE VICTORY

Scotia had been assigned in the House of Commons, eighteen were carried by the anti-Confederates, some by acclamation, most of the others by immense majorities. Tupper alone survived by a narrow majority of ninety, and it would not be going too far to say that no other man in Nova Scotia could have secured election under similar conditions. Mr. Archibald, Secretary of State, went down, and Howe, who sat for Hants, could contemplate a victory as complete as ever a political leader enjoyed. In the Provincial contest the anti-Confederates carried thirty-six of the thirty-eight seats and one of the two successful Confederation candidates owed his election to Tupper's efforts in Cumberland.

Hopeless as the situation seemed, Tupper's election in Cumberland was a matter of great importance, as events showed. His presence in the House of Commons during the two first sessions proved an immense and determining factor. One would expect a man so overwhelmed by popular condemnation to have been the victim of discouragement and despair. With the triumphant shouts of a populace intoxicated with its own phenomenal success and embittered by his part in the consummation of Confederation—probably beyond recall,—with popular clamour filling the air and loading him for weeks with every form of insult and opprobrium, most men would have sought retirement, and striven to induce forgetfulness by

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humility and self-effacement. No one observed any indications of such a disposition on the part of Dr. Tupper. His first word to his friends after the overwhelming defeat was an exhortation to courage and hope, and no one who had followed his fortunes had occasion to fear that his cause was lost. In the columns of the *Colonist* he proclaimed that the triumphant party would be utterly powerless even to disturb the fabric of Confederation. Under the coat-of-arms of Sir Charles Tupper are the words *L'espoir est ma force*. Hope ever sustained him and never more than on this occasion. But he was ever ready to put forth all his strength to achieve his hope. As one of his biographers has said, the words might fittingly be "reversed and made to read: *La force est mon espoir*."

The first session of the first House of Commons met on November 7th, 1867. The Speech from the Throne was read, the reply moved and seconded. In this assembly sat the triumphant Howe with his seventeen supporters flushed with success. After the mover and the seconder had finished, Howe was on his feet to present the case of Nova Scotia, where a Repeal movement had already been flamingly inaugurated. Howe spoke eloquently and with excellent taste and reserve and made a good impression upon a House not in sympathy with his aim. The moment he resumed his seat Tupper was upon his feet, and whoever expected

IN THE FEDERAL HOUSE

a mild and apologetic attitude on the part of one whose party had so recently experienced annihilation was disappointed. With undaunted manner he claimed that a majority of the intelligence and wealth of the Province was in favour of the Union and boldly averred that in a short time the temporary verdict would be reversed. He laughed at the proposals of the Repealers and exposed Howe's inconsistencies. It was a note, not of timid apprehension, but of supreme confidence, and its echo reaching Nova Scotia put fresh hope and courage into the heart of every one of his followers.

Dr. Tupper was out of political employment after July 7th, 1867, but his value as a political factor was recognized by Sir John Macdonald and by all the leading men of the Unionist party. Mr. Archibald's defeat in Colchester opened the way for Tupper's entry into the Cabinet. The acute political situation called for the presence of a man familiar with conditions in Nova Scotia; but Dr. Tupper declared in the most emphatic manner that he would never enter the Cabinet until he had behind him in the House of Commons a majority of the members representing Nova Scotia. This resolve, which required moral courage, was dictated by wisdom. He saw that events each day were playing into his hands and that it would place him in an exceptionally strong position to enter the Cabinet supported by a majority of the members elected to destroy him. Naturally

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Sir John had a strong feeling that some lucrative and honourable position should be placed at Dr. Tupper's disposal—something that would enable him to remain in the active sphere of politics, and reward him for his great exertions in the accomplishment of Confederation. As the Government was soon to begin the construction of the Intercolonial Railway and the method of doing this had already been determined, namely, by the appointment of a Board of Commissioners, it occurred to Sir John Macdonald that it would be fitting to offer Dr. Tupper the Chairmanship of the Board. At first Tupper was disposed to accept this important post, especially as it could be arranged that this office would not be incompatible with his retaining his seat in the House of Commons. But events occurred which caused him to change his mind.

The Repeal Government of Nova Scotia sent a delegation to London in the early part of 1868 to endeavour to obtain a repeal of the Act of Union. It was felt by the Federal Government that some man or men should be sent to England to counteract any efforts in this direction, especially as Mr. Howe was at the head of the Repeal delegation. Dr. Tupper and Sir A. T. Galt were chosen for this purpose, but the latter, while first agreeing to serve, after his appointment was announced declined to act because Dr. Tupper was associated on the delegation. He was no

A DELEGATE TO LONDON

doubt the victim of the prevalent idea that, on account of his recent defeat and the intense bitterness of the Repeal party against him, Dr. Tupper's appointment would only add fuel to the flame which the friends of Union in the Upper Provinces were anxious, by soothing measures, to extinguish. There may have been another reason why Galt refused to serve with Tupper. In a letter written in London on April 9th, 1868, by Dr. Tupper to Sir John Macdonald are the words: "I think I have ascertained Mr. Galt's difficulty in coming with me. General Doyle tells me that Howe and his friends confidently relied upon Galt effecting with them the overthrow of your Government, and I assume Mr. Galt was too deeply committed to present himself in London with me to counteract Mr. Howe's efforts." The moment Tupper was informed of the attitude of Galt he went to Sir John and stated that Galt would be of no assistance to him in London. He would go alone, and he intimated, at the same time, that the avowed determination not to enter the Government until he had the support of a majority of Nova Scotia members should apply to employment of any kind under the Government. He would not accept a place on the Railway Commission. Sir John had the sagacity to accept Tupper's view that he would be the most effective agent in London, and his selection was from every point of view the most suitable which could have been

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made. A vote of censure upon the Government for this action was subsequently proposed in the House by Dr. Parker, an Opposition member, and led to much debate. Among other notable speeches upon this resolution was that of D'Arcy McGee, his last public utterance, his murder occurring a few minutes after the adjournment of the House. But the vote did not carry. No man as well versed in every phase of the situation as Dr. Tupper could have been found, and, in spite of the alleged bitterness against him, he was able not only utterly to defeat any efforts to secure even a consideration of Repeal in either branch of the Imperial Parliament, but, what was still more important, to approach the great leader of the movement—his life-long opponent—and lay the foundation for his abandonment of the Repeal cause.

To apprehend Tupper's action at this important epoch it will be necessary to refer somewhat to Mr. Howe's actual position. Having determined to embark on the anti-Confederate crusade in Nova Scotia, it was essential to put forth every effort to secure success at the polls. But the magnitude of that success was beyond his calculation. Mr. Howe, when he dedicated his talents to the destruction of the Quebec Scheme, was firmly convinced that the result of the first New Brunswick election would be to make Confederation impossible before the election of 1867.

HOWE'S POSITION

Neither he nor any other man, however sagacious, could have foreseen that within a year the anti-Confederate Government in New Brunswick would have been ignominiously overthrown and a popular verdict in favour of Union obtained. If Howe could have defeated Tupper's Government in 1867 before Confederation was consummated, he would then have held the cards in his own hand and would probably have acquiesced in a scheme of union different only in terms from that ultimately adopted. But events followed too rapidly, and, through Tupper's dogged determination and political adroitness, the scheme was consummated beyond recall, with Nova Scotia a partner, before the elections came on. Howe invoked popular sentiment to punish the men who had fastened the yoke upon the Province, and in this he was only too successful. On September 18th he woke up to find a popular demon of disunion enthroned in supreme power, and the populace inflamed by passion and beyond his control. Whatever he thought of the situation, the mass of voters who had achieved this notable victory believed that their triumph meant a repeal of the Union, and nothing would appease their misguided zeal but the most extreme measures. A provincial government had been formed thoroughly imbued with these views and prepared to carry matters to any extremity in furtherance of this desperate purpose.

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No one can pretend to penetrate Mr. Howe's mind, but few, recognizing his long experience in public affairs, his familiarity with the sentiments of both parties in Great Britain, and his great sagacity, could be made to believe that he seriously expected to accomplish anything by a madcap movement for the disruption of the Union. But what could he do? He was the popular idol. He had eloquently urged the people to the very course which they had adopted and it was impossible to declare boldly, in the midst of their enthusiastic shouts of victory, that the spectre he had called into being was nothing but a flimsy bogey, and to tell them to stay their hand. His only course was to head the movement and make the best fight possible, which undoubtedly he did, but he unquestionably knew he was beating the wind and that his efforts would end in blank failure.

Howe reached London first and Wm. Annand, J. C. Troop, and H. W. Smith, his Repeal co-delegates, soon followed. By repeated conferences with leading men of both political parties Howe had become fairly convinced that nothing could be accomplished. Then Tupper reached London and his first step was to seek an interview with Howe. It was a dramatic meeting. Since 1855 these two men had been engaged in unbroken conflict of fierce and unmitigated bitterness. Across the House they had flung offensive epithets

HOWE AND TUPPER IN LONDON

and the language had been taxed to supply terms of invective. Both were past-masters in the art of vituperation. They were fresh from a hard-fought political contest in which, to all appearance, Howe was triumphant and Tupper annihilated; and yet, within six months after the election, Tupper was entering Howe's room in London in a position to take a dominant tone, and, as they stood face to face, he could with justice say: "Mr. Howe, you recently carried the popular vote of Nova Scotia by an overwhelming majority, while I was left without a follower; but at this moment my position is stronger than yours. You are endeavouring to destroy a great work of statesmanship and will fail; I am here to uphold that Act and behind me to-day is a majority of the intelligence and wealth of Nova Scotia. Every day will serve to weaken your position while vindicating mine. It is I, not you, that have the real power at this moment, because I have behind me the moral power of right, and can look forward with confidence to the judgment of history."

That is not precisely what he did say, but not improbably what both thought. It is an accurate epitome of the situation.

What Tupper did say was: "Mr. Howe, you are here to obtain a repeal of the Union. You will fail and you know you will fail. What then? Do you propose to disturb the country by a fruitless

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agitation which can only result in bitter feeling, the paralysis of business and, perhaps, in rebellion? Or will you accept the situation and devote your great talents and immense influence towards securing the successful working of Confederation, and help to build up a great nation in British North America?"

Every great situation in human affairs calls for the guiding hand of the capable man; when he is found, all goes well; when he comes not, confusion and anarchy result. What man in all Canada other than Tupper would have been equal to such an occasion? Only a strong man would have conceived the expedient of going direct to the master of the Repeal forces, and even he would not have ventured on this step if he had not known that he was to appeal to a broad and liberal mind. Such actions are only possible between the great.

From the moment of this memorable meeting Repeal was broken. Howe gave no definite assurances, but Tupper knew that he was weakening in his opposition to Confederation. When they met, Howe exclaimed: "Well, I can't say that I am glad to see you, but we have to make the best of it." And immediately after their meeting Tupper wrote to Sir John that he had no doubt "Howe would become a member of his Cabinet." The effort to secure even consideration of Repeal failed to receive a decent following in either

HOWE DESERTS THE REPEALERS

branch of the Imperial Parliament. The Repeal delegation and Dr. Tupper returned to Canada in June on the same steamer and landed in Halifax. Tupper went straight to Ottawa and thence to Toronto to meet Sir John Macdonald and induce him to go with some of his colleagues to Halifax to meet Howe and confer with the Repealers; and go he did in August. The conference with the Repeal leaders resulted in nothing, could not possibly have resulted in anything, because the control of the Repeal movement was vested in the provincial Government, which believed its political existence depended upon keeping up the agitation, whether it would accomplish anything or not; but the visit did result in a meeting between Sir John and Mr. Howe, and, after some correspondence, in another meeting at Portland between Mr. Howe and Mr. McLelan on the one side and the Minister of Finance on the other, at which better terms for Nova Scotia were agreed upon. Thence Mr. Howe went to Ottawa and soon after entered the Government of Sir John Macdonald; but the circumstances impelling him to take this step do not belong to this history.

Mr. Howe's acceptance of office made necessary his re-election in Hants county. The Repealers, galled to desperation by his defection, put a candidate in the field and determined to secure his defeat by any and every means in their power. The county was flooded with campaign speakers

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and money was expended without limit. In the midst of this contest Howe suffered physical collapse and was confined for some days to his bed; indeed, he never fully recovered his health and powers. Dr. Tupper avoided any part in the election. Mr. Howe's election depended on his obtaining the vote of a number of anti-Confederates linked with Howe's earlier career, and it was feared that Tupper's presence might stir up the old animosities. But when Dr. Tupper was informed of Mr. Howe's illness he went secretly to his bedside and told him to be of good cheer. He believed that Howe would carry Hants, despite the desperate efforts to defeat him, but if not, he himself would instantly resign his seat in Cumberland, where he could assure Mr. Howe of his election.

"But what will you do?" Mr. Howe naturally enquired.

"My course is determined. Mr. Pineo will resign his seat in the provincial House and I will pay my respects to the Repeal Government of Nova Scotia."

Mr. Howe was handsomely elected in Hants and this programme did not become necessary. The election came off in April, 1869, one year and a half after the great anti-Confederation sweep in Nova Scotia. It is interesting to note how matters had developed in this short space of time. In September, 1867, Tupper had not a follower

A SPLIT IN THE REPEAL PARTY

from Nova Scotia in the Commons. In April, 1869, Howe was a member of the Confederate Government, while McKeagney of Cape Breton and Stewart Campbell of Guysboro had long before dissociated themselves from the Repeal party and announced their intention of upholding the Union. Mr. A. W. McLelan of Colchester, Mr. E. M. Macdonald of Lunenburg, Mr. Hugh Macdonald of Antigonish, Mr. L. DeV. Chipman of Kings, and Mr. A. W. Savary of Digby had given their adhesion to the Dominion Government. In the course of the session Messrs. Ray of Annapolis, Coffin of Shelburne, Forbes of Queens, Ross of Victoria, and Dr. Cameron of Inverness were giving the Government a general support. Only Messrs. Jones and Power of Halifax and Carmichael of Pictou could be regarded as still in avowed sympathy with the provincial Repeal Government and hostile to the Canadian Government. Killam of Yarmouth and LeVesconte of Richmond had uncertain affiliations. Before another year had gone by a majority of the Nova Scotia members waited on Sir John Macdonald and urged that Dr. Tupper be taken into the Cabinet. They plainly intimated that Tupper's presence was necessary in the interests of their province. Mr. Kenny was not an active politician and Mr. Howe from age and ill-health was not the alert political leader of former days. This was exactly according to Sir John's desire. Mr. Kenny

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was induced to accept the position of administrator of the Government of Nova Scotia, with knighthood, and on the 21st day of June, 1871, Dr. Tupper, with the Nova Scotia delegation nearly solidly behind him, entered the Cabinet as President of the Council.

Between his return from London in 1868 and his acceptance of office in 1870, Dr. Tupper was dependent upon his own resources for his livelihood. He resumed his medical practice at Ottawa and soon obtained a place in the front rank of his profession, his income from this source, in spite of the distraction of political duties, amply sufficing for all his needs.

NOTE ON JOHNSTON'S RESOLUTION, see p. 54.

This resolution of Mr. Johnston was discussed at great length throughout the session. Voting on it was finally adjourned to the next session, and it was not again heard of. The debates were printed, and extracts from the speeches of Johnston and Howe will be found in E. M. Saunders: *Three Premiers of Nova Scotia* (Toronto: Briggs, 1909), p. 243 et seq.

W. L. G.

CHAPTER IV

IN OFFICE (1870-1872)

DR. TUPPER'S first portfolio offered little scope for the exercise of executive ability, but in 1872 he was transferred to the Department of Inland Revenue and a year later to that of Customs. But whether discharging important departmental duties or not, he was at all times alert in political matters, in complete command of the political situation in his own province, and was also the most vigorous exponent and defender of the Government policy in Parliament and in the country. No member of the Cabinet more fully commanded the confidence of Sir John Macdonald. This is distinctly observable on the occasion of Sir John's absence in Washington in 1871, during the negotiation of the Washington Treaty. Sir Georges É. Cartier was Sir John's chief lieutenant and, during his absence, acting-Premier and leader of the House, and one of the most important political figures in the Government; yet, at this critical time, when problems difficult to solve were constantly presenting themselves, Sir John, while not ignoring or slighting Cartier or his other colleagues, poured out from day to day his whole confidence in correspondence with Dr. Tupper.

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One extract from these letters will serve to show the character of this correspondence and the relationship which at this time existed between Sir John and Dr. Tupper. On April 1st, Sir John wrote:

“I must say that I am greatly disappointed at the course taken by the British Commissioners. They seem to have only one thing on their minds—that is, to go home to England with a treaty in their pockets, settling everything, no matter at what cost to Canada. I was at first a good deal encouraged, because both Northcote and Bernard stood by me against any permanent cession of the fisheries, but the four have since gone together against me. It is, therefore, exceedingly unfortunate that Sir Stafford is on the Commission, as his party in England will feel themselves a good deal fettered in Parliament by his action, and will be unable to defend the position which Canada will certainly take. The effect which must be produced on the public mind in Canada by a declaration from both parties in the Imperial Parliament against our course, will greatly prejudice the idea of British connection, as British protection will have proved itself a farce. I do not like to look at the consequences, but we are so clearly in the right, that we must throw the responsibility on England.”

Sir John felt that the judgment of his Nova Scotia colleague was most to be relied upon and

THE RECIPROCITY QUESTION

that his political instincts were the most acute. Tupper was a natural politician. He had, too, a firm self-reliance—a confidence in his own power to apprehend a problem and meet a situation without the weakling's necessity of seeking the opinion of others who understood the situation far less clearly.

The negotiations at Washington kept Sir John from his place in the House for the greater part of two sessions, and the untoward results which naturally follow from prolonged absence of the leader have a striking illustration in the ludicrous outcome of an attempt, in 1870, to change the fiscal policy. Dr. Tupper must be placed among the very first of Canadian public men who conceived and advocated a national fiscal policy. Confederation very closely followed the abrogation in 1866 of the Treaty of Reciprocity with the United States. It had become almost an article of faith in Canada that reciprocal trade with the United States was essential to the commercial welfare of all the provinces, and steps had been taken by all to secure some form of a renewal. A great convention of Boards-of-Trade, both of the United States and of Canada, had been held in Detroit in 1866 in order to create a volume of sentiment in favour of closer and more liberal terms of trade between the two countries. It must be remembered that Canada had not then obtained an actual national

status, nor did it command the same interest and respect among American public men to which it has since attained. The union of 1867 made little impression at the time upon American opinion. The "British colonies to the North" was the half-contemptuous way in which Americans then spoke of Canada. Very soon after Confederation, the struggle to obtain reciprocity, which had been initiated by the several provinces, was transferred to the Federal authorities, and every member of parliament was ready to urge definite action upon this burning question. Early in the session of 1870 Mr. L. S. Huntington brought forward a proposition for a commercial union or zollverein, which, though solemnly debated, was finally rejected by a large majority, notwithstanding that it had the support of men like Galt, Blake, Mackenzie, Holton, and Dorion. Later in the session Sir Francis Hincks, Minister of Finance, made in his budget speech certain proposals for increasing the tariff, necessitated, he declared, by the financial demands of the country upon the treasury, and he added impositions upon certain articles hitherto free, such as coal, coke, flour, and meal. These proposals naturally provoked prolonged discussions. The majority of the members of the House, and even of the Government, were deplorably ignorant in respect of financial matters. The tendency was to consider the political results of an act, rather than the economic.

A NATIONAL FISCAL POLICY

In consequence there was much confusion of thought and much hesitancy of action on the part of most members. In the midst of the discussion there was one clear note heard, and that note was uttered by Tupper—not then in the Cabinet. He declared boldly that the time had passed for seeking commercial salvation in American complacency. We should now, he said, adopt our own fiscal policy, designed to develop our natural resources and build up our own industries. Instead of a policy of subserviently placing our reliance on American reciprocity we should adopt a national policy that would make Canadians masters of their own economic affairs.

“But this country,” he said, during the debate on this question, “is so geographically situated, and so varied in its products and natural resources, that nature has placed it in our power to protect ourselves by a policy not retaliatory or vindictive, but by a national policy which shall encourage the industries of this country. By proper attention to the development of our resources, we shall have an interchange of products, and in two years I believe we shall be utterly indifferent as to whether we have a treaty or not. . . .

“I would ask whether the policy which will bring the people into the country, which will stimulate every industry in the Dominion, is not one that is worthy of the attention of this House, irrespective and regardless altogether of its effect

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upon the United States: and I have no hesitation in saying, that under the effects of a policy such as this, that would restore greater prosperity in this country than we had under reciprocity, we shall not need to go to other countries or to the United States for a renewal of reciprocity or improved trade relations, because they will be coming and seeking it at our hands. . . .

“Is it not worth while to try and see how far we may increase these native enterprises, and give prosperity to the country, by adopting a policy which will meet the unfair opposition by which the Canadian manufacturer is met from other countries? . . .

“My honourable friend the Secretary for the Provinces [Hon. A. G. Archibald] has relieved his mind to some extent, but I may tell him that this Canadian policy—this national policy—this rational policy—will stimulate the enterprise of all the Provinces, and will aid and assist in building up this great Dominion. And I may further tell the honourable gentleman that so friendly is Nova Scotia to this policy of building up our own interests that there has not been one single newspaper out of the eleven newspapers published in Halifax that has raised any objection to it, and several have come out warmly in its support.”

The tendency of the moment was to sneer at this proposal. The Opposition press treated it with ridicule and members on both sides of the

A NATIONAL FISCAL POLICY

House meeting in the lobbies accosted each other with the phrase, "How are you, National Policy?" Doubts prevailed as to whether such a change in the tariff was sound in principle or likely to be popular. By most men it was accepted as a temporary expedient, but Tupper believed in it and desired that it should foreshadow and represent a distinct line of policy. In the end, Sir Francis Hincks' proposals carried the day, and the duties on coal and flour went through as a necessary measure of revenue.

The next session, 1871, Sir Francis Hincks was able to announce a large addition to the revenue and a handsome surplus. In the light of this the Government, he said, would remit the higher rate of Customs duty imposed the previous year, but would retain the duty on coal, flour, and vegetables. As a justification for this action he spoke of the meeting of the Joint Commission at Washington and intimated that it might weaken the hands of the Canadian representative to have these duties removed at the very moment he was endeavouring to secure a measure of reciprocal trade with our neighbours. This did not satisfy the Liberal leaders or Sir A. T. Galt, and an amendment was proposed by Mr. L. H. Holton to strike off the duties on coal and flour. It was announced emphatically by the Government that it could not accept this amendment at that time; but, in the course of the debate, member

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after member on the ministerial side declared that he could not support these duties, and it looked as if the Government might be defeated on a division.

At this crucial moment Dr. Tupper was in the Government and his hands in a measure tied. If he had been an independent member he would have been able to fight in the open for his principles, and he would probably have compelled a test of the sense of the House. His position was rendered more awkward from the fact that Sir John Macdonald, who was in sympathy with his policy, and whose voice was potent to command the adherence of his supporters, was absent. The members of the Government were alarmed by the opposition which their proposals had evoked, and, without being advised of the secrets of the Cabinet, it is not difficult to imagine Dr. Tupper using every artifice known to him to induce his colleagues to make a firm stand and to take measures to bring any recalcitrant supporters into line. But the majority of the ministers were timid and yielded to the counsels of fear. A supporter of the Government was induced to move as an amendment to the amendment, that coal, flour, and vegetables be placed in the free list. This was accepted, and the National Policy adopted with heroic zeal in 1870 was ignominiously dropped in 1871. This action gave the impression that the National Policy was dead, and doomed never to

FOUNDER OF THE NATIONAL POLICY

rise again. But a few years told quite another story, and as a measure of justice to Dr. Tupper it must be recorded that he was the first responsible public man in Canada to urge upon the people the necessity for a Canadian or National Policy, and that during the period which elapsed before that policy was accepted by the country he was its constant, bold, and undaunted champion. In all his efforts he was seconded by Sir John Macdonald, who by 1876 had gradually come to see that, under the unfortunate conditions of the business world, it was the policy most likely to draw powerful support. In Mr. C. C. Colby, too, the policy of protection found an intelligent and persistent advocate, but no name can be placed before Tupper's in according whatever credit or glory belongs to the introduction of a policy of protection to Canadian industries.

It is not necessary to relate in detail the political events of the first year or so of Tupper's connection with the Cabinet. The most important was the admission of British Columbia to the Federal Union in 1871. The Bill bringing about this important step in the development of Canada was submitted to Parliament by Sir Georges É. Cartier and carried through under his guidance in the absence of Sir John, but Tupper was foremost in its support, and exercised a wholesome influence in keeping the party forces together and preventing those manifestations of weakness and dissen-

sion which are apt to result from the temporary absence of the real leader. If any member of the Opposition thought that he could trifle with Sir Georges É. Cartier he had no such idea in respect of Tupper, who sat in his place in the Commons with stern face and closely pressed lips, ready, at the instant, to pounce upon any one who should venture upon too bold a challenge of the policy of the Government.

In the early days of Confederation the Government of Canada had to deal with a provincial government in Nova Scotia, not only at enmity politically with the Dominion administration but also hostile to Confederation itself. The immediate responsibility of dealing with this unfriendly Government devolved in a large measure upon the Cabinet ministers representing Nova Scotia. Among the measures proposed by that Government to eliminate federal interference in provincial affairs was one submitted in 1871 disqualifying Dominion officials from exercising the franchise in provincial elections. The wisdom and justice of this measure, (which became law but, fortunately, was afterwards repealed) it is not necessary to discuss, and it is mentioned here merely because it incidentally has to do with the life story of Dr. Tupper. The ground urged in its defence was that the Government of Canada was hostile to the Provincial Government, and that its officials, being under the undue influence of

A QUESTION OF PATRONAGE

such Government would always exercise their influence against the provincial administration. The Bill, of course, passed the Assembly, but the Legislative Council was still pretty evenly divided politically, and it was to that body the opponents of the Provincial Government looked for its defeat. Although the Opposition was scarcely represented in the Assembly, there was still a large party under Tupper's lead outside the House which was active in its efforts to weaken and destroy the Repeal Government of Nova Scotia. The Hon. James McNab was a member of the Legislative Council and generally supposed to be in political sympathy with the Provincial Government, but as he was a brother-in-law of Mr. Howe, there appears to have arisen some doubt as to his political attitude. Some of the leading supporters of the Federal Government in Halifax conceived a means of securing the vote of Mr. McNab against the disfranchising Bill. He had an idle son on his hands, and the plan was that in consideration of the boy getting an office from the Dominion Government, the father would oppose the Bill. A telegram was prepared in Halifax and sent to Dr. Tupper, signed by one of his leading friends, asking him if an office could be found for the son if his father would go right on the Franchise Act. This presented a strong temptation to Dr. Tupper, as he naturally felt a profound interest in thwarting the efforts of the Provincial Govern-

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ment. After the defeat of all the Unionist candidates in Halifax it had been arranged that Mr. P. C. Hill should be the general adviser of the Federal Government in the distribution of patronage in the city and county. When he received this telegram, it was open to Dr. Tupper to reply simply that he and the Dominion Government could not be a party to any such arrangement. This would have been the lofty and high-minded course to have adopted; but it was not the line likely to be followed by any politician in such circumstances. It would have constituted a discouraging snub to warm friends who were actively devoting their best energies to their party's interests, and was not to be seriously thought of. But he did not answer that such an office would be given. He disposed of the matter precisely as if it were an ordinary case of patronage. His reply to the telegram was: "Anything that Hill undertakes to do, I will undertake to carry out." This was equivalent to saying: "Mr. Hill is the adviser of the Government in matters of patronage in Halifax County. If he recommends Peter for an official position, the Government will give effect to his recommendation."

The Provincial Government and its friends raised a great clamour over this transaction, and with good grounds. It was most discreditable for leading and responsible men to seek to influence the vote of a Legislative Councillor by securing

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an office for his son, and the reputations of most of those concerned were somewhat damaged by their action. But, of course, the chief aim was to involve Tupper adversely in the affair, and in this his opponents were not wholly successful. The matter was brought up in the session of 1871 in the Dominion Parliament by Mr. Mackenzie, who moved a vote of censure on Dr. Tupper. He made a very good case in respect to the general outlines of the transaction and animadverted with great force and severity upon the conduct of the principal parties concerned; but with these the House had nothing to do. It was Tupper's conduct that was impugned. When thus challenged Tupper sprang to his feet and, with flashing eye and thundering voice, entered upon his defence. After his usual method, when on doubtful ground, he devoted most of his address to a bitter attack on his opponents. He carried the war into Africa. He contrasted his course in striving to build up the Dominion with the disloyal and narrow policy of the Nova Scotia Repealers, and charged Mr. Mackenzie and his friends with identifying themselves with these would-be wreckers of Confederation.

Most men thus assailed personally would appeal to the party instincts of their followers for a vindication: Dr. Tupper absolutely disclaimed such a puerile course, as will be clearly seen from an extract from a report of his speech.

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“He stood in this House making no suppliant appeal to the followers of the Government to support him. He absolved the Government and he absolved his supporters from any claim. He was unwilling to put the question on any such narrow ground as that. It had never been his position as a man or as a member of an administration. For sixteen years he had served his native province as a public man, and he left the legislature of the province without a single stain on his character, without a single political crime against him except that of fighting the battle of Confederation. He had resigned his position as leader of the Government and thrown himself into the hands of the people. He stood there in the presence of his countrymen without an act which could touch his character as a man or his political honour. He stood in the same position here to-night. The motion of the honourable member for Lambton might be carried, but it would not touch the Government. It would touch him and him alone. It would place him on a seat as an independent member, untrammelled by any consideration except serving in the best manner the best interests of the Union. Let every honourable member in this House deliver his condemnation if he thought it a duty he owed to this parliament and his conscience. He (Dr. Tupper) as an independent member of this House would be able to give the Govern-

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ment his support as well in such a position as under any other circumstance. . . .

“Having spent the prime of his life in constant and unqualified exertion to build up the interests of his country, he placed himself unreservedly, not in the hands of the honourable members who supported the Government, but unreservedly in the hands of the honourable members on the other side of the House. . . .

“He should much prefer to be an independent member of this House, and, if it were the unbiassed judgment of the honourable members sitting on both sides of the House that he had been guilty of anything which rendered it improper that he should remain any longer a Minister of the Crown, he would retire to an independent bench. He was alone responsible for his own act, and, if it were necessary, he could retire into private life with the proud conviction that, regardless of party, he had thrown his best energies into the work of Confederation, and striven, in whatever position he had been placed, in such a manner as was best calculated to carry out the union of the provinces, and he should retire into private life with the satisfaction of knowing that his efforts, humble though they had been, had assisted in placing this country in a position higher than it ever would have occupied without Confederation.”

The vote of censure was defeated by a large majority, and in this majority were many of the

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formerly inveterate anti-Confederate members of Nova Scotia.

The general elections of 1872 imposed a serious responsibility upon Dr. Tupper in respect of political management. Strictly speaking, Nova Scotia was represented by a body of anti-Confederates and Repealers elected to destroy Confederation, but this body had soon begun to show signs of disintegration. Mr. McKeagney, the representative of Cape Breton, was the first to desert and Mr. Stewart Campbell of Guysboro followed soon after. Then Mr. Howe entered the Government and several Nova Scotia members at once identified themselves with the Unionist party. These included Mr. McDonald of Antigonish, Mr. Savary of Digby, Mr. E. M. MacDonald of Lunenburg, Mr. L. DeV. Chipman of Kings, and Mr. LeVesconte of Richmond. Messrs. Jones and Power of Halifax and Carmichael of Pictou were openly and avowedly in sympathy with the provincial Government and hostile to the Government of the Dominion. There remained Messrs. Coffin of Shelburne, Forbes of Queens, Ray of Annapolis, Pearson of Colchester, Cameron of Inverness, and Ross of Victoria, who had given the Government a general support on all occasions, and had acquired by this course the privilege of advising the Government in the bestowal of patronage in their respective counties. What course was Tupper to take in respect of these

AN ACT OF EXPEDIENCY

men? It could not be said that any of them had openly identified themselves with the Unionist party. While generally voting with the Government in the House, they had still kept up relations with their political associates in the counties they represented, and many of the favours which they were permitted to bestow went to their own political friends rather than to Tupper's. But they had stood behind Tupper in all kinds of stress, and in defiance of angry criticism of their conduct by the leading organs of the anti-Confederate party in Nova Scotia. In these circumstances, it was difficult for Dr. Tupper to throw them entirely over. Most of them stood a better chance of re-election than any of his Unionist friends in their constituencies. In consequence he gave all of them letters stating that they were supporters of the Government and satisfactory to him. In some of the counties affected this intimation prevented opposition and secured election by acclamation. In other counties the Unionists declined to accept Dr. Tupper's certificate, put straight Unionist candidates in the field, and in one or two instances were defeated only by a narrow majority, obtained, probably, through the influence of Tupper's letter. Later events showed that it would have been a sounder and safer policy for Dr. Tupper to have withheld his support from any Nova Scotian anti-Confederate member who would not agree to give the adminis-

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tration full and open support, and to have given the weight of his powerful assistance to candidates of his own party upon whose allegiance he could rely. But there was nothing then in the situation that suggested the expediency of such a course, and his action cannot now be fairly condemned because it resulted injuriously.

The general result in Nova Scotia was, on the surface, very flattering to Dr. Tupper. He secured the defeat of Messrs. Jones, Power, and Carmichael, and substituted strong Union supporters. All those Nova Scotia members who were avowedly friendly to the administration were returned, and Mr. Howe was re-elected in Hants by acclamation. Tupper's own election was easily won by over twelve hundred of a majority. In only one county was a straight opponent of the Government elected, Mr. C. E. Church of Lunenburg. Twenty out of the twenty-one seats had elected either avowed followers of the Government, or men like Messrs. Ray, Forbes, and Ross, who, in the previous parliament, had given the Government a general support. As matters went very badly in Ontario and not too favourably in Quebec, where Sir Georges É. Cartier was defeated in Montreal, the result in Nova Scotia was of great importance to the Government, and it was also specially valuable as indicating that the Repeal movement had lost its power. Dr. Tupper went back to Ottawa greatly strengthened. His victory

A POLITICAL TRIUMPH

in Nova Scotia was the most notable feature of the campaign, and gave him increased prestige in his party throughout the whole Dominion. It likewise strengthened, if this were needed, the confidence which Sir John Macdonald reposed in his ability as a public man and in his resources as a politician. This gratifying result had been obtained by none of the expedients of compromise and intrigue, which constitute not infrequently the chief stock-in-trade of the shifty politician, but by open and bold conduct. He issued an address to the electors of Nova Scotia, denouncing in no measured terms the whole policy and conduct of the Repeal party, and proclaiming, without reserve, the advantages and glories of Confederation. Nor can there be found in all his utterances one apologetic word for his course in carrying Confederation or any attempt to pander to the dominant sentiment of the people.

Notwithstanding the unfavourable result in Ontario, Sir John Macdonald took a far too roseate view of the results of the election. If nothing crucial had happened during this Parliament, it may be that the majority would have proved sufficient for the ordinary purposes of the administration, but many of the new members could not be relied upon to endure the strain of a great emergency, and among these were eight members from Nova Scotia, most of whom held their seats by favour of Dr. Tupper.

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NOTE ON TUPPER'S POLITICAL METHODS, see p. 116.

Sir Charles was the most constructive statesman in Canada from 1867 till he left the Cabinet in 1883; but he was not squeamish in his political methods. Thus in 1885, he accepted from the C. P. R. a present of \$100,000 in stock. E. M. Saunders, D.D., *The Life and Letters of The Right Hon. Sir Charles Tupper*, Vol. ii, p. 60.

So in 1891 he was anxious to see a corrupt and discredited politician made Lieut.-Governor of Quebec, if by so doing trouble for the Conservative party could be avoided. Tupper, *Recollections of Sixty Years in Canada*. p. 214.

A typical story of his son, Sir Charles Hibbert Tupper, is given in Pope, *The Day of Sir John Macdonald*, 1915, p.153.

CHAPTER V

THE PACIFIC SCANDAL AND THE MACKENZIE ADMINISTRATION (1872-1878)

DR. TUPPER was not immediately identified with the first steps taken toward the construction of the Canadian Pacific Railway. The Department of Public Works was then administered by Mr. Hector L. Langevin, but the original negotiations in connection with this gigantic undertaking, which became a national obligation after British Columbia entered the Federal Union, were conducted by Sir John Macdonald himself, and the two Ministers most closely associated with him in these negotiations were Sir Georges É. Cartier and Sir Francis Hincks. Dr. Tupper watched the railway negotiations with that grave and intelligent interest which he bestowed upon all large political questions. That he was cordially in favour of the prompt construction of the trans-continental line is clearly revealed in his parliamentary speeches, but his immediate duties concerned the administration of Inland Revenue until early in 1873, when he became Minister of Customs. The duties of neither of these departments touched the administration of the railway affairs of the country. All matters of public concern in connection with the construction of the

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Canadian Pacific Railway were fully considered in Council, and Sir John Macdonald was punctilious in consulting the members of his Cabinet fully upon all matters; but the details of negotiation were not the special concern of Dr. Tupper, and there are no grounds for supposing that he had knowledge of the famous incidents of the election campaign of 1872, with which Sir Georges É. Cartier, Sir John Macdonald, and Sir Hugh Allan were principally connected. In this he was fortunate, for he escaped the odium of a transaction which cannot be successfully defended. Sir Richard J. Cartwright in touching on this matter in his *Reminiscences* remarks: "He [Tupper] . . . had not been in any way directly connected with the Pacific Scandal as far as the evidence went."

But while Dr. Tupper was in no sense implicated in any of the transactions with Sir Hugh Allan, he remained absolutely loyal to Sir John throughout the whole trying ordeal which resulted from the disclosures regarding Sir Hugh's contributions to the Conservative campaign fund. When the matter came before the House of Commons in October, 1873, and the Government was confronted with a non-confidence resolution, moved by Mr. Mackenzie, the Opposition leader, which stood a fair chance of being adopted, not even Sir John Macdonald himself displayed equal zeal and energy in the endeavour to stay the tide which

LOYAL IN ADVERSITY

was beginning to run adversely. On the floor of the House Tupper, who followed Mackenzie, was the most vigorous and defiant defender of the administration, and in his speech designated the attack of the Opposition the "Pacific Slander". According to him the Government had done nothing wrong and the vote of want of confidence was uncalled for. He even convinced himself later that the reaction in favour of the Conservatives, which in 1878 hurled the Liberals from power, was due in part to "the real facts connected with the 'Pacific Slander' becoming known". Whatever his private thoughts may have been as to the propriety of the acts of Sir John Macdonald or the prudence of Sir Georges É. Cartier, he never betrayed the slightest disposition to visit them with reproaches, but invariably justified their conduct as dictated by patriotism and in accordance with sound moral principles. He recognized clearly that all members of the Government were in the same boat and that the essential thing was to pull together. No man during that crisis made such herculean efforts to save the situation. He was confronted by conditions which especially called for his exertions. While timid friends in all the provinces were threatening to desert in the hour of danger, in Nova Scotia the menace was widespread. Messrs. Killam, Coffin, Forbes, Ray, Pearson, MacDonnell, Ross, and McKay, all of whom had been elected with

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Tupper's approval as supporters of the Government, discerned a reasonable prospect of a change of Government. All were really politically allied with the opponents of the Government in Nova Scotia. The party conventions to which they looked for nomination, and the organizations upon which they would have to depend for re-election, were composed of men who took their inspiration from the Provincial Government of Nova Scotia. The Federal members from Nova Scotia desired to hold the patronage of their counties as long as the Government was in power, and they were not averse to using this privilege to suit their own and their party's interests; but nothing would give them greater joy than the destruction of the Government and the vesting of full control in their natural political allies. By this time the Repealers of Nova Scotia had reached the stage of allying themselves politically with Mr. Mackenzie. The Liberal leader visited Nova Scotia in August, 1873, and was banqueted by the principal men of the anti-Confederate party, Mr. A. G. Jones presiding, and the members of Mr. Annand's Government sitting at the table of honour. If a new Government should reign at Ottawa, Killam and his friends in the Federal Parliament proposed to have seats in it, and to enjoy the advantages of political power in the province. Dr. Tupper used every means possible to recall them to a sense of their obligations to

A DIVIDED PARTY

him, and no doubt suggested inducements to secure their support. In vain! The stars in their courses were fighting against him, and these men were gloating over the prospect of throwing off the shackles which their anomalous position had forged. They had the trying part of keeping in with the Government at Ottawa in order to secure the patronage of their counties, and at the same time of preserving their position with their party friends in Nova Scotia. When they recorded a vote at Ottawa in support of the Government on a crucial division they were compelled to exhaust their ingenuity in trying to make their peace with their friends in Nova Scotia. Instead, therefore, of twenty Nova Scotian members out of twenty-one being really staunch supporters of the Government, only twelve could be counted upon in the hour of danger. A clear defection of eight votes in any great crisis was a serious matter and quite sufficient to accomplish the downfall of the Government. Dr. Tupper's feeling toward these recalcitrant members can readily be imagined. When Mr. Howe left to assume the Lieutenant-Governorship of Nova Scotia he had called his supporters together and charged them to give Tupper the same support they had given him, and they all had cordially agreed. Now, before six months had gone by, they were foremost in getting signatures to a round robin by the members pledging their votes to Mr. Mackenzie's

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resolution. Time works its revenges. Tupper lived to see nearly all these men defeated in their respective constituencies and excluded from the House of Commons, and they could hope for nothing from his magnanimity after the part they took in the drama of November, 1873.

The Lieutenant-Governorship of Nova Scotia having become vacant by the expiration of Sir Hastings Doyle's term of office, Dr. Tupper was the first to suggest to Sir John Macdonald that this position should be bestowed upon Mr. Howe. Strictly speaking, it could scarcely be called a promotion, but, owing to Mr. Howe's advanced age and broken health, exacting political duties were no longer congenial, and the comparatively easy functions of the Lieutenant-Governorship would afford him, it was hoped, opportunities of recuperation. He accordingly accepted, and his place in the administration was taken by Mr. Hugh McDonald of Nova Scotia. Mr. Howe died in Government House in the early days of June, after having filled the position for only a month. This afforded Dr. Tupper an excellent opportunity for recognizing his obligations to his old party leader, Mr. Johnstone, who had retired from the Bench and was now living quietly in the south of France. No doubt this act was an extremely pleasant one to Dr. Tupper. Although past eighty years of age, Mr. Johnstone accepted the position and started for Nova Scotia, but

MACDONALD RESIGNS OFFICE

died in England on his homeward journey. Again the Lieutenant-Governorship became vacant, and some friends of Dr. Tupper suggested that, having now disposed of all those who had prior claims, he might fairly accept the position himself. He instantly repudiated the possibility of any such arrangement, remarking, it is alleged, that he would as soon think of keeping a hotel. This was characteristic of Tupper. At the time when he and McGee withdrew to enable Sir John to complete the formation of his first Cabinet, he was asked if he would take a governorship: "I would not," he replied "take all the governorships rolled into one." He secured the appointment for his old friend and colleague, Mr. A. G. Archibald.

The Canadian Pacific Railway crisis came on November 7th. Sir John Macdonald, perceiving a danger of defeat, preferred to abandon office without a division. He did not think anything could be gained by placing his followers in the position of being obliged to vote to sustain the Government in face of the serious charges which had so stirred public opinion. Mr. Mackenzie was called upon to form a Government, and thus ended the drama of 1873 and the first administration of Sir John Macdonald. Some of the members viewed his retirement with complacency. Mr. Tilley, it was discovered, had the Lieutenant-Governorship of New Brunswick in his pocket

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when the crisis came, and Mr. Hugh McDonald his commission as Judge of the Supreme Court of Nova Scotia. Some ministers had private means, and the giving up of office had little effect upon their personal fortunes. It was otherwise with Dr. Tupper. Though anxious to become independent by the acquisition of wealth, and although some opportunities for gain had come within his grasp, such as the Springhill Mining Deal, yet, at this moment, he had no independent means for the support of his family. He was not always careful in his investments or always fortunate, and was sometimes lured into enterprises which ended in disaster rather than in profit. Deprived of the emoluments of office, he had to face the problem of a livelihood. His sons were still being educated and he was forced to maintain a scale of living commensurate with his station. But at no moment of his life was Dr. Tupper daunted, nor did he ever lose faith in his ability to provide by his own exertions for all his needs, and his confidence was so far shared by his friends that never during his whole public career was a movement set on foot to provide for his necessities. Some men are of such easy-going disposition that they can permit their private interests to take care of themselves, while observant friends are quick to raise funds to provide for emergent necessities. No man in the public life of Canada ever served his country more faithfully and

A DISCREDITED PARTY

efficiently, or devoted more time and energy to constructive statesmanship in the Dominion at its earlier stages, and, possibly, there were times when he felt the pinch of financial stress as much as others. It is a tribute to his qualities and a high token of public confidence in his powers that no one ever suggested that the hat be passed round on his behalf, though this has often been done for the relief of men who have done infinitely less and whose real needs were no greater. A strong, masterful man, Tupper never appealed to the sympathies of his fellows. He stood upon his own feet with perfect confidence, and faced without faltering the issue of his personal fortunes. He went to Toronto and resumed there the practice of his profession; and so high was his professional reputation, that his earnings at this time were said to be greater than the salary of a Cabinet Minister.

The position of the Conservative party after the downfall of the Government in 1873 was far from promising. The defeat of the administration was upon grounds less favourable for rehabilitation than had a mere question of public policy been involved. The leaders of the party had been smirched, especially Sir John Macdonald, and the betrayal of the origin of the election fund raised in 1872 created a profoundly unpleasant impression throughout the country. The Canadian Pacific Railway enterprise, as originally conceived, had

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failed. The company had been unable to finance the undertaking in London or elsewhere and had surrendered its contract. Public confidence in the political honesty of Sir John Macdonald had been greatly impaired, and, for the time being Mr. Mackenzie was basking in the sunbeams of popular favour.

Leadership was the first question for the defeated party to consider. Sir John stood very high in the regard of his followers, and his consummate qualities as a party manager were universally recognized. The thought, however, must often have intruded itself on the minds of many judicious men in the Conservative party at that moment that possibly the retention of Sir John Macdonald in the leadership would be a handicap to the party and a bar to its early return to power; but few took the responsibility of giving expression to any such thought. The disposition was to cling to Sir John in his fallen fortunes. His own action tended to foster this sentiment, for he unreservedly placed his resignation in the hands of his party and plainly intimated that it would be desirable to put at its head a younger man, dissociated entirely from the past and unhampered by antecedents of a disagreeable kind. But having regard to the illustrious services he had rendered his party and the large part he had played in the creation, expansion, and consolidation of the Dominion, it seemed an act of ingratitude, if not

*A QUESTION OF LEADERSHIP

something worse, to desert him in the hour of his temporary eclipse, and it was not difficult for an observant person to discover the overwhelming trend of party sentiment to stand by Sir John to the end. The doubt as to the wisdom of this, which was coupled with the sentiment of loyalty to Sir John in nearly all minds, did not fail to find some expression, though it was not formidable. Mr. Peter Mitchell was credited at that time with the avowal of the opinion that some other leader, free from taint, should be selected, and a few highly moral journals of Conservative leanings gave voice to hints of the same kind; but this feeling was not strong and caused no actual wavering in the ranks of the Conservative party. If Sir John Macdonald's advice were to be taken seriously and his resignation accepted, the first need would be to discover the man who could effectively fill his place. Leaders who can command an undivided following are rare in all parties at all times and seasons, and the Conservative party in 1873 presented no exceptional aspect in this regard. If Sir John were to be put aside, even temporarily, only one man—Dr. Tupper—could be seriously considered as his successor, though perhaps some few would have placed Mr. Alexander Campbell in the reckoning. Tupper was the one able and aggressive man to whom Conservatives looked at all times for the effective word of command and the vigorous action which must

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go in advance of success. He, too, was the only Conservative who seemed to have an assured hope that his party would speedily be restored to power. When the overthrow of the Government was imminent, Mr. E. B. Wood said in the House: "Before many days the Government will have fallen like Lucifer, never to rise again." With set jaw and flashing eye Tupper retorted: "But we *shall* rise." No one accused him of having played even a minor part in the unfortunate incident of the Hugh Allan election fund contribution. It is not impossible that Dr. Tupper revolved these things in his mind, nor can any one familiar with his ambitious character doubt that leadership would have been grateful to his feelings. But he was far too strong and far too shrewd to betray by the slightest token to the world at large any such inclinations. He had the sagacity to perceive clearly that Sir John would be the choice of the party, and he took care to be foremost in the call. In all his intercourse with his friends from every part of the Dominion, he was most pronounced in the expression of confidence in Sir John and in allaying any distrust that might have found a lodgment in the minds of any of his political associates as to the wisdom of clinging to Sir John, even with his "another ten thousand" telegram on his head. There was no change of leadership, and when Tupper next visited Nova Scotia he was asked by one of his most devoted

THE CUMBERLAND WAR-HORSE

followers why the party had retained Sir John at its head after the nasty revelations of the Pacific Scandal. "Because, sir," he said, "he is the ablest man in the Liberal-Conservative party and best able to consolidate all interests to his support." It is quite possible he may secretly have believed himself to be the best, but to no one did he show the slightest sign of such a belief. How many excellent men in political life have marred their future, indeed destroyed all hope of a great career, by allowing their personal aspirations or grievances to escape from the stronghold of their secret thoughts and become the common property of a cynical world. Such weakness Tupper was incapable of displaying.

For the first two or three years after their defeat, Tupper, now known as "the Cumberland War-horse", was the life and hope of the Conservatives, "about the only Oppositionist who manifested any fight."¹ Sir John Macdonald was undoubtedly greatly disturbed by his overthrow, and in particular by its cause. When he went out of power the prospect was not so dark. The House of Commons was then pretty equally divided politically. There were members in it who, while willing to see him sacrificed for their own safety, were yet not wholly dependable as supporters of Mr. Mackenzie. When Sir John's

¹ Young, James: *Public Men and Public Life in Canada*, vol. II., p. 197.

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leadership was so enthusiastically confirmed by his friends, the situation was not altogether without promise. A clever tactician like Sir John might reasonably hope to trip up the new Government any day in a House elected to support him by a majority of thirty. But the possibility of an early dissolution had not then dawned upon the Conservatives, or even upon the Liberals. The fact that the new Ministers went off to their Ministerial elections seemed to negative the idea that any immediate appeal to the country was contemplated. It was only after the Ministerial elections were over, and when members of the new Government began seriously to consider the precarious character of their existence in a House a majority of which had been elected to sustain not them but their opponents, that the propriety, indeed, the necessity, of a general election became evident. A dissolution accordingly followed in January, 1874, and proved a staggering blow to the Opposition. It had no money, and its leaders were under the ban of public condemnation for corrupt conduct. The situation had to be faced and the best possible done, but the result was a disastrous rout and Sir John came back with not more than seventy followers in a House of 215. Even Quebec gave the Liberals a majority, which was a complete reversal of conditions prevailing for many years. The result, so far as that Province was concerned, was not normal or

THE LIBERALS TRIUMPHANT

destined to be permanent. It was rather the outcome of a sudden wave of popular sentiment which followed the accession of the Liberals to power.

It became necessary for Dr. Tupper to seek re-election in Cumberland and at the same time to survey the whole situation in Nova Scotia. The prospect was dismal enough. The Nova Scotia Repealers had become the most ardent followers of Alexander Mackenzie. The eight Nova Scotians who had suddenly deserted Tupper in his hour of need could go back to a happy and enthusiastic party. In the general rejoicing they had no need to "explain" votes given against the party interest. All were certain of election, while Tupper's friends in Halifax, Pictou, Antigonish, and Kings, who had won under his banner of 1872, were in serious danger and were in the end defeated. His own seat presented dangers. The Liberals nominated a strong local man, Mr. George Hibbard, to oppose his election, and a lively contest resulted. Invincible in his own constituency, Dr. Tupper had little difficulty in securing election by a majority of 379, but when, on the day after election, he looked about him, he could not put his hand on a dependable supporter elected in Nova Scotia. Kings had defeated his friend L. DeV. Chipman and returned Dr. (afterwards Sir Frederick) Borden. Halifax had returned his old opponents, Jones and Power. Pictou had

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rejected James Macdonald and his colleague Robert Doull in favour of two Liberals, James W. Carmichael and John A. Dawson. In Colchester the struggle between the two candidates at the election was as to which was the true Liberal. The one actually elected, Mr. Thomas McKay, proved to be the wrong one for the Liberals, for in a short time he placed himself unreservedly under the leadership of Dr. Tupper. Cape Breton sent two members, one of whom, N. L. Mackay, was really in sympathy with the Government; the other, William McDonald, professedly neutral during the election contest, very soon developed into a supporter of Dr. Tupper. These two men—McKay and McDonald—were the only adherents he could then rely upon in the whole Nova Scotia delegation.

The result of the election was to place the Government in a triumphant position. It had carried every province in the Dominion, and the vote indicated an immense preponderance of popular sentiment in its favour. Even Toronto, the citadel of Toryism, returned three Liberals. The Liberal leaders and their followers believed that Sir John Macdonald was irretrievably ruined and that the Liberal star would be in the ascendant for many years. A corresponding despondency took possession of the Conservative party, and Sir John himself was disposed to be faint-hearted and pessimistic. It was at this moment that

AN UNCOMPROMISING CRITIC

Tupper's dauntless courage and buoyant assurance sustained the drooping spirits of the Conservatives. Sir John was disposed to pursue a waiting policy, and his criticisms in the House were generally of a moderate character and in no sense aggressive. With his instinctive cunning, he was waiting for a promising issue. His tactics for the first two years of opposition were Fabian, waiting for blunders on the part of his opponents, of which he could take advantage. There was no doubt subtle wisdom in this course, but other things also had to be considered. The party had been badly beaten and was prostrate under the blow. It was necessary to restore its members to hope and heart. This was Tupper's mission and at no period of his long career did he display greater qualities than at this dark hour of his party's fortunes. In the House of Commons he became the aggressive and uncompromising critic of every feature of the Government's policy and conduct. Mr. Tilley, the financial authority of the late Government, having retired to the Lieutenant-Governorship of New Brunswick, and no man especially endowed for the discussion of financial questions being in the ranks of the Opposition, Tupper sprang into the breach as the financial critic of the Government. The instant Mr. Richard (afterwards Sir Richard) Cartwright finished his first budget speech in 1874, Tupper took the floor and struck right and left at every feature of

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the financial policy of the administration. He charged the Government with increasing taxation, "with infidelity to its free trade principles in the increase of the tariff from 15 to 17½ per cent. The obligations incurred by the previous Government, he claimed, could be discharged without any difficulty, as the increased revenue from an increased population and from the development of the North-West Territories would more than meet the extra expenditure".¹ He taunted it with threatened deficits, in contrast with the former administration, which had been rolling up surpluses. It might fairly be charged that Tupper's attacks were not infrequently carping and hypercritical, perhaps even specious and unfair; but they served their purpose in stirring up party feeling in the country and were probably quite as damaging as if conceived in a more just and discriminating spirit.

By-elections had to be held very soon after the general election—several the result of election petitions. Tupper had to face a petition himself and, while placing the matter in the hands of counsel, he read the English text-books on controverted elections until he was himself master of every intricacy of the election law. He escaped by a technicality. Whenever a by-election occurred Tupper was promptly on the ground on behalf of the Opposition candidate, making furious on-

¹ Ross and Buckingham: *The Hon. Alexander Mackenzie*, p. 375.

THE LIFE OF HIS PARTY

slaughters on the administration. The result of the by-elections for the first two years was almost invariably favourable to the Government, and Tupper had to endure the mortification of seeing his most titanic efforts end in repeated disappointment and failure. His opponents, noting the long series of defeats, pronounced him the evil genius of his party, and asserted that it was only necessary for Tupper to go into a constituency to secure the return of the Government candidate. All this he endured without a sign of faltering or a note of discouragement. He confidently believed that the tide would turn, and his aggressive speeches in the constituencies he visited, and the public reports of them which reached all parts of Canada, aroused the blood and awakened the enthusiasm of the Conservative party. In all his public utterances there was a tone of confidence, a bold carrying of the war into the enemy's camp, which had a mighty influence in restoring the spirits of the party cast down by overwhelming defeat. It is no disparagement to Sir John Macdonald's ability and astuteness to say that at this critical stage of the party's history Tupper was its inspiring genius, and that to him more than to any other man the party is indebted for the spirit that enabled it to spring to the front and take up actively the weapons of party warfare when in due course an issue arose upon which a battle could be fought on advantageous terms.

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The record of the Mackenzie Government is only indirectly involved in this memoir, but it is impossible to narrate the events which led up to the great Conservative victory in 1878 without a glance at the incidents of that administration. No Government ever took office with fairer political prospects than that formed by Alexander Mackenzie in 1873; none ever encountered more aggravating and deplorable ill luck; and seldom has any administration abused its opportunities and mismanaged its political affairs to a corresponding degree. Its ill luck was due largely to the acute industrial and commercial depression, which dogged it from the beginning of its days, resulting in diminished revenues, large deficits, and universal hard times. The lack of sufficient income deprived it of the means of even attempting alleviation by the construction of large public works. It was hampered by the prevalent fiscal orthodoxy from undertaking remedial measures in the way of increased tariffs, and thus became amenable to the charge of being a fly on the wheel while one important industry after another was being forced to the wall by ruinous competition from United States manufacturers, who sought to mitigate the unfortunate conditions under which they were labouring by marketing their surplus products in Canada at slaughter prices. Mr. Mackenzie, though a thoroughly honest man who tried to conduct his administration on sound

A TACTLESS PREMIER

business principles, was devoid of imagination, which is an enormous factor in swaying the masses, and absolutely destitute of tact and suavity of manner, without which success in administration, under existing conditions, is practically impossible. Every man seeking a favour from the Government usually left an implacable enemy of the Prime Minister. He had, moreover, no good genius in his Cabinet who understood the incomparable art of making friends. The general management of the party, too, was utterly neglected. The Premier burdened himself with the exacting duties of the Department of Public Works, which at that time included Railways and Canals, and gave little heed to the moulding of public opinion, the adjustment of local differences, or the trend of public sentiment. His administration was attacked as being a cold, hard business one, appealing to none but a few beings of Puritanical tendencies or a handful of free-trade doctrinaires. Friends were snubbed, opponents exasperated. Strict economy was practised, which was just what the people then, and for a long time after, did not want. They yearned for a Government which had the genius to create large revenues and royally spend them in undertakings of local value and national importance.

In spite of all these drawbacks it is highly probable that Mr. Mackenzie's Government would have safely weathered the general elections

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of 1878 if he had not, in 1876, blindly and fatuously ignored a public demand for fiscal protection, and for this egregious mistake neither he nor his chief lieutenant, Mr. Cartwright, is wholly responsible. By the beginning of 1876 the industrial situation in Canada had become deplorable. So great was the depression that consumption had enormously diminished and over-production resulted. The same conditions existed in the United States, but the manufacturers there had their own market preserved by protective duties, while Canada had only a $17\frac{1}{2}$ per cent. revenue tariff. In consequence, the American could ship his over-production to Canada, and while this involved a decided reduction in price, it was better than not selling at all; but it spelt death to the Canadian manufacturer whose wares could not find a market owing to these imported goods being sold at greatly reduced prices. Under these circumstances there arose a strong and almost pathetic appeal from the Canadian manufacturers for such a change in the tariff as would safeguard them from ruinous competition. The circumstances raised the matter somewhat above any mere academic discussion of the abstract principles of political economy. It was not merely a question of free trade or protection; it was a question of industrial life or death. Messrs. Mackenzie and Cartwright heard the representations of large and influential delegations of the most important industries

THE GOVERNMENT'S TRADE POLICY

of the country, were convinced that something should be done to meet the exceptional conditions, and were considering remedial measures, when they encountered an organized opposition in their own ranks, chiefly from the Maritime Province members, under the leadership of Mr. A. G. Jones of Halifax, who represented that any system of protection would be a menace to the commercial and shipping interests of those provinces and would even constitute a breach of faith as to the terms on which they had entered Confederation. This powerful junto compelled Mr. Mackenzie to hold his hand, adhere to the dogma of free trade, and propose no remedy whatever for the deplorable conditions everywhere prevailing.

This was the rock upon which the Government ship was wrecked. It was not generally known by the public what course the Government would take in respect of fiscal policy, and Mr. Cartwright's budget speech was awaited with intense interest. Some expected that an effort would be made to supply a remedy, while others doubted whether any adequate action would be taken. Dr. Tupper was to be the critic of the budget, and a tradition existed, which has never been dispelled, that he prepared himself for either line of action.¹ If the Government announced

¹ "When Dr. Tupper concluded his speech about half-past ten o'clock, and shortly before the House adjourned, the Hon. Mr. Mackenzie

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remedial legislation in the way of staying mischievous importation, he was prepared to declare its proposals inadequate or even involving burdensome taxation; if no action was announced he was ready to declaim against its cruel disregard of the acute sufferings of the industrial interests of the country. It is of course impossible to verify this story, but it would not be surprising, if true, or different from the probable course of any other political partisan. But, whatever plans may have been in his mind, his course was made easy by the unequivocal announcement by the Finance Minister that no change in the tariff was contemplated, and this was enforced in a series of specious arguments against the unwisdom of

went across the Chamber to the front of the doctor's desk, and the two doughty antagonists—the heroes of so many political battles—indulged in what seemed to the onlookers a very friendly and amusing conversation, which at times seemed to verge a little too near the hilarious for a legislative body with the Speaker still in the Chair. I watched the whole proceeding across the gangway, and was somewhat surprised when the Premier on returning came straight across the front of my own desk. Knowing that my opinion was that the Government had made a serious, if not fatal, blunder, in not dealing with the Tariff as originally intended, he went on to tell me his conversation with the member for Cumberland, which seemed to have amused him very much.

“What do you think Tupper has just told me?” he began.

“I have no idea,” I replied.

“Well,” continued Mr. Mackenzie, ‘I went over to banter him a little on his speech, which I jokingly alleged was a capital one considering he had been loaded up on the other side. He regarded this as a good joke,’ Mr. Mackenzie went on to say, ‘and frankly admitted to me that he had entered the House under the belief that the Government intended to raise the Tariff and fully prepared to take up the opposite line of attack.’”—Young, James: *Public Men and Public Life in Canada*, Vol. II, p. 239.

THE NATIONAL POLICY

adopting dangerous expedients to meet temporary derangements. Having been compelled to adhere to the free trade dogma, Mr. Cartwright and his colleagues made a virtue of necessity, and argued with much ingenuity and force that protection would result in disastrous consequences to the country.

This announcement sealed the doom of the Government. Tupper was quick to denounce the failure to give relief to the distressed industries, and he could do this consistently, as he had previously, as we have seen, been the champion of a Canadian National Policy. Sir John Macdonald was not slow to discern that an issue was at hand on which he could appeal successfully to the country. He tabled a resolution expressing regret that the Government had done nothing to meet the crying needs of the industries, and instantly was hailed by the manufacturers as their sympathetic friend. The battle on this issue was renewed in 1877 and 1878, and, when the elections came on in September of the latter year, the country was thoroughly aroused and the manufacturers were practically a unit in demanding some fiscal remedy for the intolerable conditions under which they had long laboured and were still struggling. It was a peculiarly opportune moment to launch a crusade on behalf of the National Policy. The country was in the throes of a protracted depression, and those who are

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suffering are usually ready to accept any remedy which offers relief, without too closely scrutinizing its character. One party told the people to work more and eat less, and wait until time brought about normal conditions; the other said: "Your evils come from the unfair competition of the outsider; we will frame a tariff which will give you command of your own market." It would not be difficult for any intelligent onlooker to foresee the outcome of a struggle on those lines. In 1877 the Minister of Finance in his budget speech told the country emphatically that no change of policy was meditated.

"It appears to me," he said, "to be our wisest policy to adhere strictly to a revenue tariff, and to advance steadily but continuously with those important public works which cannot be delayed without grave public injury; also to fulfil, as far as we can, all the engagements we have entered into, with this proviso, however, that those engagements must not be allowed to imperil our general position, or to endanger the future of the whole population of this country. I do not pretend to say that all risks are past, but I think I am justified in asserting that the risks, at any rate, have been considerably lessened. I do not look for any sudden expansion. I can hardly say that I desire any very sudden expansion; but I do believe that we may fairly count on a steady and gradual progress, such as we know by past ex-

A POLITICAL REACTION

perience has rarely failed to exist in Canada, even under circumstances quite as disadvantageous as those with which we are now confronted."

After the session of 1876 there had been indications of a reaction against the Government. The reaction now increased tenfold. By-elections resulted in the loss of seat after seat by the administration, and Dr. Tupper, pursuing his relentless campaign, was able to silence the taunt that his presence assured the election of the Government candidate. Hatred of him succeeded ridicule; and hatred is only bestowed on those whose strength is feared. We laugh at those we despise and sneer at those whom we think may be ignored, but we reserve our hatred as an unwitting compliment to those whom we find dangerous. As the time for the general election drew near Tupper was in evidence in all parts of the Dominion. He addressed a meeting in Halifax in 1877, and another in 1878 in Sydney, Cape Breton, in which, in most explicit terms, he defined the meaning and expounded the advantages of protection to the men struggling with a coal industry which yielded no profit. There was a ring of confidence in his every utterance, public and private. In the East he declared that the signs of reaction in the West were marked and unparalleled; in the West he gave assurance that the East was up in arms against the administration. By a kind fate it proved that he was right in both cases. The tide

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of popular feeling was plainly running against Mr. Mackenzie.

Two by-elections occurred in the early days of 1878. Mr. W. B. Vail, Minister of Militia, representing Digby, and Mr. A. G. Jones, representing Halifax, were compelled to resign their seats on account of being associated with a newspaper in Halifax which had received printing favours from the Government. The election in Digby came off ten days in advance of that in Halifax. Dr. Tupper went to Nova Scotia and took charge of the campaign in both counties. He succeeded in securing Mr. Vail's defeat by a large majority. Flushed with his great triumph he proceeded to Halifax and in mid-winter visited outlying sections, addressing meetings, and, in the city, gave inspiration to the party forces. Mr. Jones was able to save his seat, but Tupper's influence in organizing and inspiring his friends laid the foundation for success in the general elections which would take place during the following summer.

Notwithstanding indications of reaction against the administration scarcely any one was prepared for the sweeping victory of September, 1878. Every city in the Dominion except one declared for the National Policy. The exception was Kingston, Ontario, where Sir John Macdonald was defeated at the very moment his party was sweeping all before it in the other parts of the Dominion

MACDONALD'S SECOND MINISTRY

—one of the oft-recurring paradoxes of political contests. The Opposition secured a majority in every province of the Dominion except New Brunswick, which has a habit of adhering to the party in power. Messrs. Jones, Cartwright, Coffin, and Laflamme, Ministers, were defeated, and so was Mr. Blake, who retired from the Ministry just before the election. It seemed the irony of fate that Mr. Jones, who had been foremost in preventing any fiscal changes out of regard for the dominant sentiment of the Maritime Provinces should not only have been badly beaten in Halifax, but that Tupper in Nova Scotia should have carried fourteen seats out of twenty-one in favour of the National Policy. Mr. Mackenzie, greatly astonished at the verdict, promptly accepted it, and, after a few weeks devoted to the disposal of arrears of public business, sent his resignation to Lord Dufferin, who was still Governor-General, though on the brink of departure from Canada. In October, 1878, Sir John Macdonald formed his second ministry, the most powerful member of which was undoubtedly Dr. Tupper. Tupper had encountered severe opposition in Cumberland county, his opponent being Mr. W. T. Pipes, who afterwards became Premier of Nova Scotia, but he was returned by a large majority. The important portfolio of Minister of Public Works was assigned to him. This gave him charge not only of the Intercolonial Railway, but also of the great work

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of securing the construction of the Canadian Pacific Railway—the largest and most important enterprise devolving upon the administration. The work of the Department was so enormous that within a year it was deemed expedient to divide it into two departments, one Minister having charge of Railways and Canals and the other of Public Works. The more important of these, Railways and Canals, remained with Dr. Tupper.

The whole Conservative party recognized without reserve the highly effective services Dr. Tupper had rendered through the five years of opposition, and credit was ungrudgingly accorded him. Of course he was not without his enemies, even in the Government camp. No such masterful personality had appeared in the arena of the Upper Provinces, and a strong man almost invariably evokes opposition from the dullards and weaklings, who fear his power and chafe under his domination. Sir John Macdonald was blest with a temperament much better suited to gain the favour and secure the regard of commonplace people. He ruled by seeming to let every man have his own way and by pandering to weaknesses and whims, while Tupper, master of his duties and knowing his own mind, pursued his course in his own way and had not always the patience to take note of the uninformed and confused vapourings of the average man.

A CONTRAST IN METHODS

A striking illustration of the difference between the disposition and methods of Sir John and Sir Charles is to be found in an incident which occurred not long after they had resumed power. A vacancy existed in the representation of Nova Scotia in the Senate. A worthy old gentleman who had carried one of the doubtful counties by a narrow majority went to Ottawa during the recess to obtain this seat. Naturally he went first to Tupper, who realized plainly that the member in question, though a life-long friend and supporter, was not a desirable appointee, and also that it would be extremely dangerous to make a vacancy in his seat, which might be captured by an opponent. He told him, with absolute frankness, that his appointment was out of the question and could not be considered for a moment. He advised him, therefore, to abandon all further efforts to secure the Senatorship and to return home. It was good advice and honest dealing.

But the old fellow was not satisfied with this and went to see Sir John Macdonald himself. As he was ushered into the Premier's office, Sir John grasped him warmly by the hand and said:

"My dear, . . . you are the very man I wanted to see. There is a vacancy in the Senate which belongs to Nova Scotia, and you have unquestionably the strongest claim of any man I know in the whole Province. There would be no question

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as to your appointment, if it were not that I am told by everybody that you are the only man in the Dominion who could carry the county of What do you say to this, is it true or not?"

Elevated to a degree by this insidious flattery, Mr. . . . was compelled to admit that it was probably true that he was the only person who could hold this doubtful seat.

"Then I know, my dear fellow, that, however great your claim, you will not put the Government in the embarrassing position of losing an important seat, which you only could win or hold."

"No, Sir John," he replied with great fervour, "I will not put you in any such position," and went home pleased, flattered, and happy.

Any one is at liberty to choose which method is the more worthy of praise and imitation. Many will award the palm to the clever dissembler who possesses the art of playing upon human weakness, but every right-thinking man will agree that downright honest frankness has a higher claim to admiration.

CHAPTER VI

MINISTER OF RAILWAYS AND HIGH COMMISSIONER (1878-1887)

SOON after Sir John Macdonald's second administration was formed, several of the leading Ministers were honoured with Knighthood for distinguished services. Dr. Tupper, who had previously been vested with the order of Commander of the Bath, was made a K.C.M.G. (1879) and will hereafter be known and designated as Sir Charles Tupper. Mr. Tilley, who, on the completion of his term of office as Lieutenant-Governor of New Brunswick, had become a candidate for St. John in the next election and had been returned and given the portfolio of Minister of Finance, was likewise honoured, and so also was Mr. Alexander Campbell. Proffers of similar honours were made to the three most prominent Liberal politicians; Messrs. Mackenzie and Blake declined, while Mr. Cartwright accepted.

Two important matters demanded the immediate attention of the new Government. The first, and most pressing, was a revision of the tariff in obedience to the popular mandate; the other was the construction of the Canadian Pacific Railway, not only in fulfilment of the

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terms of the bargain with British Columbia, but also to meet the necessities of national development, which rendered such a railway indispensable. Although he had made many honest attempts in the direction of constructing a transcontinental highway, Mr. Mackenzie had really accomplished very little. The line from Pembina to Winnipeg and Selkirk had been built. The work between Thunder Bay and Red River was partly under contract. Some work had been done on the Kaministiquia River, and an effort made to improve the water system of the Lake of the Woods and to construct a carriage road in British Columbia. Not a mile of railway had been built, or contracted for, on the prairie section west of the Red River. The new Government was compelled to regard the Canadian Pacific Railway as a work practically not yet begun, and to consider measures which would secure its construction. Tupper, now Minister of Railways and Canals, never faltered in his fixed determination of having the whole line built from the settled parts of Eastern Canada through the unsettled or sparsely settled West to the Pacific Ocean. He made no pretense of utilizing the waterways, and the Government proposed to face the responsibility of immediate construction.

The first proposition to secure the building of the transcontinental line was submitted by Sir Charles in the session of 1879. It was em-

THE PROJECTED PACIFIC RAILWAY

bodied in a series of resolutions, which reiterated and affirmed the obligation of the Canadian Government to fulfil its engagements to British Columbia at the earliest practicable moment and with the greatest speed; averred that the construction of the Canadian Pacific Railway would bring into being a great Imperial highway across the continent under British control and upon British soil; declared that, as large numbers of men were out of employment in Great Britain, this stupendous undertaking would furnish immediate employment to many of these and thus bring in a large body of workmen who would ultimately become settlers on the vast tracts of prairie land waiting only for cultivation to be a valuable national asset; and asserted that the Government should be authorized to employ all proper methods for securing the co-operation of the Imperial Government in this great work.

These were merely the preliminary affirmations of the abstract principle of vigorous action; the practical step proposed to secure this result was the appropriation of a hundred million acres of land, to be vested in Commissioners who should have control of the whole area of land within twenty miles of either side of the proposed line of railway, and of any other land outside this belt necessary to make up the complement of good land. The Commissioners were authorized to sell the land at not less than two

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dollars per acre, and the proceeds were to be used solely for the purpose of paying the cost of constructing the railway.

The Government was authorized by these resolutions to locate the line west of the Red River and to spend a million dollars on construction work; also to enter into a contract for the building of a section of the line in British Columbia, not exceeding one hundred and twenty-five miles.

These resolutions were submitted by Sir Charles in a speech of great length and power, largely historic, in which he set forth what had been done, criticized the want of action on the part of Mr. Mackenzie, and expatiated on the immense advantages of opening up this new country, which he claimed the Government was able to develop by using the land resources of the West without imposing burdens on Eastern Canada. The resolutions were vigorously opposed; but, as a matter of fact, they did not really constitute a serious proposition. They answered the purpose of filling the immediate need of a policy, and thus enabled the Government to mature a more feasible plan for accomplishing the gigantic task before it. The Government, it is true, gave a contract to some Americans for the construction of one of the most expensive portions of the road—from Kamloops to Port Moody,—and it also entered into arrangements for the building of part of the prairie

RAILWAY LANDS' POLICY

section, but nothing further was done in 1879 in forwarding the enterprise as a whole.

During the next session Sir Charles came forward with some amendments to his original proposal. It had been found impossible to dispose of land in these remote regions for two dollars an acre, and he consequently proposed that the price at which land could be sold should be fixed by the Governor-in-Council, but never at less than one dollar an acre. These identical lands, in the course of time, sold for five, ten, and twelve dollars an acre, but the enhanced value sprang from the construction of the railway. A prairie farm served by a transcontinental railway is one thing; a prairie farm without access to the markets of the world is another. There were objections to the policy of building this road out of the proceeds of the sale of government lands. They were to be sold to any purchaser who would furnish the price, the sole object being to realize money. This would open the door to large acquisitions by speculators, who would hold the land until the railway was built and then exact high prices from those who were seeking to settle. Mr. Blake submitted a resolution that there should be no sale of land except to actual settlers, but this was rejected at the instance of the Government.

The amending lands resolutions submitted by Sir Charles were duly carried, once more committing the House to a policy of Government con-

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struction. But time dragged on and nothing was done, until in a speech at Bath, Ontario, in June, 1880, Sir John Macdonald indicated that the Government had found it necessary to change its plans and that negotiations had already begun under which it was hoped that the Railway would be built by private capitalists, a number of whom were ready to undertake the work with the aid of subventions from the Government. A little later on Sir John Macdonald, Sir Charles Tupper, and Mr. J. H. Pope, Minister of Agriculture, whose Department had charge of immigration, went to England in order to continue the negotiations. The names of the enterprising men who had offered on certain terms and conditions to carry out the whole work deserve to be preserved in the annals of Canadian History, for they undertook a herculean task, and in the end achieved a success unparalleled by any railway enterprise the world has ever seen. The original contractors were George Stephen and Duncan McIntyre of Montreal, R. B. Angus, who had been in the service of the Bank of Montreal, and later on became its President, John S. Kennedy of New York, J. J. Hill of St. Paul, Morton Rose and Company of London, and Kohn, Reinach and Company of Paris. Donald A. Smith was not among the contractors, but he was solidly behind the enterprise and no one of the original promoters made greater efforts or sacrifice on its behalf.

THE RAILWAY CONTRACT

The terms of the contract were not onerous, or in any large sense unwise or improvident. The Company was to build the road from Callender Junction on Lake Nipissing to Vancouver, B.C., of a grade and character corresponding to that of the Union Pacific Railway. As a subvention for this, it was to receive \$25,000,000 in cash, 25,000,000 acres of land adjoining the line, and to have handed over to it the completed portions of the railway then under construction by the Government between Kamloops and Vancouver, and between Thunder Bay and Red River, the total cost of which would be something over \$30,000,000. The Company, of course, had the advantage of all the large sums which the Government had expended in surveys, and it was also to have the privilege of having its material admitted duty free and the whole enterprise exempted from taxation.

The contract was signed in London, on October 21st, 1880, but it was not made public until submitted to Parliament. The Government deemed it important that it should be ratified at once and, consequently, Parliament was summoned to meet December 9th, 1880, instead of in February or March, as usual. The contract was at once laid upon the table of the House and was received with mingled feelings by the country. It soon became clear that it would be vigorously attacked by Mr. Blake, who had now become the leader of

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the Opposition in succession to Mr. Mackenzie, and by all his followers. On December 14th, Sir Charles Tupper moved a resolution confirming the contract, and supported it in a speech which may fairly be regarded as the greatest in his political career. Leading statesmen who are gifted with the power of exposition have occasion to deal with so many vital questions that it is sometimes a matter of opinion which of several important utterances is their most powerful. Few of Sir Charles Tupper's speeches can be classed as other than strong and stirring. His capacity to marshal facts with striking directness and his ability to institute comparisons at the expense of his antagonists have found no superior as yet in the debating arena of the Canadian Commons; but the importance of the question with which he was dealing, the historical sequences which followed the adoption of the measure he was submitting, and the large and far-seeing view he promulgated as to the future of the country, now for the first time being opened up, combined to make this speech his most masterly parliamentary effort.

He first demonstrated conclusively that all political parties were agreed upon the necessity of keeping faith with British Columbia, and the importance of opening up for settlement the vast tracts of unsettled country which Canada had recently acquired. Chapter and verse were given for quotations from the speeches of every leading

A DEFENCE OF THE CONTRACT

man, Liberal and Tory, in support of this proposition. He next dealt with the previous proposals which had been made to secure the construction of the railway, from the original contract with Sir Hugh Allan and his associates to the several schemes submitted by Mr. Mackenzie during his term of office. He then entered into minute calculations of the cost to Canada involved in the adoption of each of these proposals, and proved, apparently conclusively, that the scheme now presented would cost Canada less than any previously proposed. He even went a step farther and demonstrated to the satisfaction of all, save his political opponents, that the construction of the work under the contract would impose no burden whatever upon the Canadian people, since by opening up this new country the Government would be able to dispose of land to settlers upon terms which would bring to the country a revenue larger than the whole sum contributed in subventions. Ten years later this statement was constantly flung derisively in the teeth of Sir Charles, since very little revenue had then been derived from land sales. But in this world time is the great problem-solver. It required two decades, at least, to circulate knowledge regarding the Canadian North-West and to inspire confidence in its future; then the tide of immigration began to flow, moderately at first, but gathering force, year after year, until it reached vast proportions,

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and after another decade had passed Sir Charles' predictions had been more than realized and the prospects of still greater returns made clear beyond peradventure.

The peroration of this memorable speech must be given in full since it is characteristic of the man; and glowing, even florid, as it then seemed, it made no prediction that has not been realized, and prefigured nothing that has not come to pass and been infinitely exceeded:

"I have the satisfaction of knowing that throughout this intelligent country every man breathed more freely when he learned that the enormous undertaking of constructing and operating the railway was to be lifted off the shoulders of the country, and the liability the country was going to incur was to be brought within, not over, the limit which, in its present financial condition, it is prepared to meet; within such limits that the proceeds from the sale of the land to be granted by Parliament for the construction of the line would wipe out all liabilities at no distant day. But that is the slightest consideration in reference to this question. It is a fact that, under the proposals now submitted for Parliament to consider, this country is going to secure the construction and operation of the gigantic work which is to give new life and vitality to every section of this Dominion. No greater responsibility rests upon any body of men in this Dominion than rests

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upon the Government of Canada, placed as it is in a position to deal with the enormous development of such a country as Providence has given us; and I say we should be traitors to ourselves and to our children if we should hesitate to secure on terms such as we have the pleasure of submitting to Parliament the construction of this work, which is going to develop all the enormous resources of the North-West and pour into that country a tide of population which will be a tower of strength to every part of Canada, a tide of industrious and intelligent men, who will not only produce national as well as individual wealth in that section of the Dominion, but will create such a demand for the supplies which must come from the older provinces as will give new life and vitality to every industry in which those provinces are engaged. . . .

“Sir, I say we have been disappointed, but I hope upon future reflection at no distant day, when the results of the measure which we are now submitting for the approval of Parliament—and which I trust and confidently expect will obtain the sanction of this House—will be such as to compel these gentlemen openly and candidly to admit that in taking the course which we have followed we have done what is calculated to promote the best interests of the country, and that it has been attended with a success exceeding our most sanguine expectations. I can only say,

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in conclusion, after some five and twenty years of public life, I shall feel it the greatest source of pleasure that a quarter of a century has afforded me, as I am satisfied that my Right Honourable friend beside me will feel that it crowns the success of his public life, that while Premier of this country his Government were able to carry through Parliament a measure of such inestimable value to the progress of Canada; so I can feel, if I have no other bequest to leave to my children after me, the proudest legacy I would desire to leave was the record that I was able to take an active part in the promotion of this great measure by which I believe Canada will receive an impetus that will make it a great and powerful country at no distant date."

On resuming his seat, Sir Charles received warm congratulations from his friends. He was followed at great length by Mr. Blake, who criticized the various features of the contract. The Opposition kept up the debate until the Christmas holidays forced an adjournment. Mr. Blake and his colleagues conceived the idea of holding demonstrations in the leading cities to protest against the railway policy of the Government. Under Tupper's inspiration, counter demonstrations were organized. At these he appeared upon the platform and, with all the force and enthusiasm of his nature, expounded and defended the contract and proclaimed the wonderful things the road would do

THE CONTRACT APPROVED

for Canada. So the popular campaign organized by his opponents was fully offset by his counter rally, the state of public opinion remained as it was, and nothing was gained by the Opposition in its appeal to popular prejudice. In this affair Tupper's strength as a public man is admirably shown. He rarely resorted to the intrigue of the Council Chamber or the pulling of strings, but boldly appealed to the people, upholding his measures and enforcing his views with a force and vigour which compelled respect. Without his impetuous activity at this critical moment it is impossible to estimate to what degree Mr. Blake and his friends would have been able to arouse public hostility to the Canadian Pacific Railway project.

The contract was ultimately approved by large majorities in both Houses, and, under it, not only was the Canadian Pacific Railway constructed, but also its various ramifications and numerous important connections with the railway system of Eastern Canada. Later on the company established steamship lines on the Great Lakes, and on the Pacific and Atlantic Oceans. Under the contract, the entire road was to be finished in ten years, that is, by 1890; as a matter of fact it was completed in 1885, and this constitutes a feat in railway construction rarely equalled and an expenditure of resources not rivalled by any industrial exploit either before or since.

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Sir Charles Tupper's administration was further marked by the extension of the Intercolonial Railway to Quebec. For some years after its opening the Government line terminated at Rivière de Loup, which was the eastern terminus of the Grand Trunk System. It was soon found to be anomalous that an important line of railway should terminate in a comparatively small town with no large share of the export trade of the country; so arrangements were made to acquire the line from Rivière de Loup to Quebec and make it a part of the Government line. Later on the route was made more direct by building from St. Charles to Lévis. Both of these steps were in the right direction, but did not meet the necessities of the Intercolonial. Many years later the line was extended to Montreal, a much more important trade centre, and then it was discovered that to make the Government railway a means of developing trade at Atlantic ports it was necessary that the line be extended west to the centres of grain production, or that it should be linked up with one or other of the great transcontinental lines, which would thus have a direct interest in making it a means of building up Atlantic ports, especially in the winter season when the St. Lawrence was closed by ice.

During his administration of the Department of Railways and Canals, Sir Charles sanctioned and aided an enterprise for a ship-railway across

A SHIP-RAILWAY PROJECT

the Isthmus joining Nova Scotia and New Brunswick. It had long been the belief of certain persons, especially in St. John, that a canal connecting the waters of the Bay of Fundy with those of Northumberland Strait would give a great impetus to trade in certain quarters of the Maritime Provinces. It was argued that coal from Cape Breton and the Pictou mines could be carried direct to St. John by such a canal, thus avoiding a long circuit round Nova Scotia. The canal would moreover shorten the distance between Boston and the Gulf of St. Lawrence ports of the Maritime Provinces.

Although the distance across the isthmus is comparatively short—a few miles only—and the land low, no proposition for a canal proper was ever made, and it was asserted at the time that owing chiefly to the high tides of the Bay of Fundy a canal could hardly be operated.

At last came a proposition for the construction of a ship-railway across the isthmus. Under this arrangement the ship and cargo were to be lifted bodily out of the water, placed in a cradle, conveyed by rail across the isthmus, and deposited in the water at the other end. Hitherto the operation of a ship-railway for any distance had not been demonstrated to be practicable, and the promoters of this project received no assurance that after the railway was completed any ship-owner would venture to allow his ship to be placed upon it.

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But in spite of all this, a British company with a large capital undertook to construct the work upon obtaining a charter from the Canadian Parliament and a substantial subvention. Many think that Sir Charles Tupper, as Minister of Railways, should have refused any countenance to this enterprise; but circumstances made it difficult for him to act otherwise than he did. He sat in Parliament for the county of Cumberland, through which this ship-railway would run. The people of Amherst and thereabouts were extremely enthusiastic over the enterprise, believing that it would enhance the commercial importance of that town. At any rate the expenditure of several millions in their vicinity would offer opportunities for profit. Besides, there was quite a volume of honest public opinion in favour of the enterprise and a clamour in certain quarters that the government should aid it. The assistance proposed by Sir Charles Tupper was the granting of a bonus of \$170,000 a year for twenty years to the company constructing the work. The sum was voted, the company organized, and active operations begun. It is claimed that between two and three million dollars were spent in this undertaking, and those who travel over the Intercolonial may still see from the car windows about two miles west of Amherst a portion of the ruins of this ill-fated project. The money raised not proving sufficient for its completion, work was stopped. The

A DISASTROUS ENTERPRISE

time limit of the contract expired and the obligations of the Government ceased. Some years afterwards those whose money had been swallowed up in the venture made application to the Dominion Government, then under the leadership of Sir Wilfrid Laurier, either for a renewal of the contract or for a refund of a portion of the money expended. But by this time it had become well recognized by practical men that the enterprise was neither sound nor feasible, and the Government did not feel justified in giving any relief. The unfortunate investors were to be pitied, but they were the victims of too sanguine expectations for which there was no adequate basis. In the light of subsequent events, it is clear that it would have been wiser for Sir Charles Tupper to have frowned upon the enterprise rather than to have encouraged it. It can only be said that he acted as most public men in his position would have done, and it must be further borne in mind that in the opinion of some experts the project was a practicable one.

In all public matters from 1878 to 1884, Sir Charles Tupper was the most active figure. In Parliament he was a prolific author of useful legislation and an effective defender of every department of the Government. He was the most available and successful champion of the party cause on the public platform. Under his auspices the Eastern Extension Railway of Nova Scotia,

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which prepared the way for the further extension of the Intercolonial through the Island of Cape Breton to Sydney harbour, was acquired from the Provincial Government.

In June, 1882, the general elections were held, more than one year in advance of the date to which Parliament might legally run. The excuse was that it was necessary that the National Policy should receive popular endorsement in order to give confidence to industrial promoters. The real reason was that the moment seemed favourable for securing an electoral victory. Sir Charles took special charge of the campaign in the Maritime Provinces. His opponents were not able to muster opposition to him in Cumberland and he was left free to devote his energies to other constituencies. The result fully maintained his commanding position: in Nova Scotia only five seats out of twenty-one were carried by the Opposition, and among the supporters of the Government returned was his second son, Charles Hibbert (afterwards Sir Charles Hibbert), who was nominated by the Conservatives in Pictou and handsomely elected—a success which he probably owed to the prestige of his father.

Although carrying a large majority of the seats in Nova Scotia for the House of Commons, Tupper's influence was not sufficiently potent to prevent the defeat of the Conservative Provincial Government. A majority of Liberals was returned

THE NATIONAL POLICY POPULAR

and a Liberal Government soon after formed, which, under various leaders, has remained in power ever since. While Sir Charles was in the political arena he was unceasing in his efforts to defeat this administration, but without any approximation to success. However, the personal relations between Sir Charles and the leading members of the Nova Scotia Government were always friendly and he was ever ready to serve the interests of his native province.

Matters progressed very quietly after the election. The Government majority had been scarcely perceptibly diminished; the National Policy had been endorsed—even in Ontario, where Mr. Blake built his chief hopes. Quebec returned only thirteen opponents. The election had proved most unsatisfactory to the Liberal leaders, who had hoped for very different results. There had been a comfortable belief amongst them that protection would be rejected by the people the moment they had begun to feel its pinch. But they had not felt its pinch, but rather its benefits. Trade had revived, not, indeed, wholly on account of the National Policy, but contemporaneously with it. The sentiment in favour of building up domestic industries grew stronger each year, encouraged as it was by a steady increase in the tariff of the United States. It cost the Liberal party long years of political banishment before it dawned upon it that the National Policy had really public opinion behind it.

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Nothing of importance occurred in public affairs in the next two years, when suddenly it was announced (May, 1884), almost like a thunderbolt, that Sir Charles Tupper was about to retire from active political life to accept the position of High Commissioner in London. This office had been created in 1879, and Sir A. T. Galt held the position from 1880 to 1883. He was in office at a time when Canada's importance had not yet begun to be fully realized in Great Britain, and before the Imperial spirit had developed in either country. When Galt's term of office expired, the appointment was offered by the Premier to Sir Charles Tupper. His acceptance puzzled the public. Sir Charles was such a thorough-going politician, was so active in public affairs, had acquired such a commanding position, and seemed so clearly in line for the Premiership in the event of the death or retirement of Sir John Macdonald, that it could scarcely be believed that any lure would draw him from the political field.

His opponents began to propound theories. One was that Tupper was broken physically and mentally and was compelled to abandon active work. There was no foundation for this report. It is quite true that Sir Charles had been incessant in the discharge of public duties and was of that active temperament which led to his being called upon to assume larger labours than most of his colleagues, and that he therefore needed rest;

HIGH COMMISSIONER IN LONDON

but it was a monstrous delusion to imagine that Sir Charles Tupper at sixty-three years of age had reached the breaking-down stage. Those who a quarter of a century later saw him approach his ninetieth year in possession of every faculty will have no difficulty in rejecting the theory that Sir Charles became High Commissioner on account of failing powers. Another story, industriously and universally circulated, was that he had quarrelled with Sir John Macdonald and was leaving Canada in disgust. It was a fair guess that Sir Charles would aspire to be Prime Minister and it was assumed that he had become tired of waiting for Sir John to get out of the way, and, therefore, impatient of the lack of prospect for the fulfilment of his ambitious aims, he was "quitting the game". Sir Charles Tupper could make no one believe that the Premiership was not the object of his ambition, but he was shrewd enough to see that so long as Sir John Macdonald remained alive and in possession of his faculties, the office was pre-empted. No one but a fool would contemplate the possibility of supplanting Sir John Macdonald in the leadership and primacy of his party. There was only six years difference in their ages and Sir John gave no evidences of diminished powers.

But there is nevertheless a secret history in connection with this retirement of Sir Charles from active political life, not fully known, but known sufficiently to permit some general out-

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lines of it to be stated. Mr. Sandford (afterwards Sir Sandford) Fleming had been chief Government engineer in charge of the surveys of the Canadian Pacific Railway, and of the construction of those portions of the line undertaken by the Government. Prior to 1880 mutterings began to be heard in the Opposition press that crooked work was going on in connection with this enterprise. It was known that Fleming had been absent in England in 1879, and, in the session of 1880, one of the members supporting the Government brought up, on a motion for papers, the question of the conduct of the Chief Engineer, criticized his absence, and pointed out that the actual cost of construction of certain portions of the railway had been much greater than the estimates furnished to the Government. It was also intimated that he was drawing no regular salary, which made his position anomalous and might lead to complications.

Sir Charles, of course, defended Mr. Fleming, who had formerly been intimately associated with him in connection with the construction of the Pictou Railway when Tupper was Premier of Nova Scotia. It was alleged that Fleming had condemned the work done and the materials used by some of the contractors, that they had refused to go on with their undertaking, and that construction had come to a standstill. At this stage Mr. Fleming had offered to finish the work him-

UNDER UNJUST SUSPICION

self at the rates agreed to by the contractors, Tupper had accepted his offer, and Mr. Fleming had proceeded with the work and completed it. While this was a partisan version of a perfectly honourable transaction, it was known that Mr. Fleming had profited by this venture, and his opponents often insinuated that Dr. Tupper had shared in these profits. But although not the slightest evidence was ever produced in support of this, the recollection of these transactions no doubt served to engender suspicions as to the later relations of the Chief Engineer with his Minister.

Mr. Dalton McCarthy had been elected to the House of Commons in 1876. He was a man of great ability, one of the most accomplished advocates in Canada, a personal friend of Sir John Macdonald, proud, and ambitious. Those who knew the inner workings of the Conservative party after Sir John resumed office in 1878 aver that Mr. McCarthy aspired to succeed Sir John as Premier. Whatever truth there was in these surmises, it is certain that a cabal was active within the secret councils of the party in pressing for the removal of Mr. Fleming from his post as Chief Engineer. What transpired in those private discussions in the caucus cannot be related, but it is known that dislike and suspicion of the energetic Minister of Railways was to some extent the occasion of this move on the part of Conservative members to have a house-cleaning in connection

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with Railway construction. Imputations were freely made upon the honour of the Chief Engineer, but Sir Charles Tupper, with all the energy and force he possessed, fought against the cabal, which had its chief strength among Ontario members. He was somewhat weakened in his efforts by the suggestion freely made of former intimate relations between himself and Mr. Fleming. At last a crisis came. Sir John who had rare tact in delaying unpleasant action, and in quieting awkward clamours within the party councils, found that matters had reached a stage when some action was imperative. Either Mr. Fleming must go, or the Minister of Railways. When this was the alternative, Mr. Fleming's course was clear. He could not with decency allow a minister of such importance as Sir Charles to be sacrificed, and he resigned. This quieted matters for a time, but for a time only.

The Opposition press was full of imputations against Sir Charles Tupper's personal honour, especially in relation to Andrew Onderdonk, a wealthy American contractor. This attack arose over the letting of the contract for the building of the section of the Canadian Pacific Railway in British Columbia between Port Moody and Emory Bar. Fourteen contracting firms tendered for the construction of this part of the line; their tenders varied from \$2,227,000 to \$3,531,832. The lowest tender was that of Messrs. McDonald

THE ONDERDONK CONTRACT

and Christie. But the contract was awarded by the Minister of Railways and Canals to Andrew Onderdonk, whose price was higher by \$209,255. Sir Charles excused his action on the grounds that the deposit cheque (\$20,000) of the lowest tenderers was irregular and that to have accepted it would have rendered abortive the whole system of deposits. It is true the cheque had been stamped: "Good for two days only." But when Sir Charles awarded the contract to Onderdonk he had in his hands the following telegram from the General Manager of the Bank of Montreal: "Please strike out 'For two days only' from our acceptance stamp. The cheque will be good until paid."

No one can say whether there was or was not foundation for the insinuations arising out of the letting of this contract. No investigation was held; no proof of corruption submitted; and no fact brought to light reflecting upon the honour of the Minister, whose conduct was warmly defended by the Government press, and who was sustained in the matter of the Onderdonk contract by a vote of 125 to 55. The Opposition in the Commons made no specific charges, which, had they been made, probably would have done Sir Charles a real service. But these common rumours caused further intrigue in the secret councils of the Conservative party. Mr. McCarthy had been re-elected in 1882 and there were some who professed to see his hand in these efforts

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from within to injure the standing and position of the strongest man in the Cabinet. Sir John Macdonald gave no countenance or aid to those cabals. He was satisfied of Tupper's good faith and also well assured that he was the most useful man in his Cabinet. But such a feeling developed that Sir John became convinced that harmony would be best secured by the retirement of Tupper from the Cabinet. Galt had just retired from the High Commissionership in London, and if Sir Charles Tupper could be induced to accept this post, Sir John was disposed to think that a troublesome situation would be cleared up, and harmony restored within the Government's ranks.

And such a solution of the internal difficulty was in another way exactly in accordance with the public interests. No feature of Canadian administration called for more energetic action than the relations with the Home Government. Since that day there have been important developments within the British Empire. The self-governing Dominions have compelled the respectful interest of the Imperial authorities and an eager desire to consult them upon all large Imperial questions. The Secretary of State for the Colonies has been obliged by necessity to discriminate between the supervision of the autonomous Commonwealths, which have grown to importance, and the paternal management of Crown colonies. At this time all were to some extent included in

HIGH COMMISSIONER

the same category, and it was difficult to obtain anything from Downing Street beyond a languid interest and perfunctory action. Sir John Macdonald had pride in Canada and desired that it should virtually attain a national status, and he regarded it as of supreme importance that a strong man should be stationed in London, who would see that Canadian interests were duly regarded. Sir Charles Tupper was in his judgment *par excellence* the man for this place.

It is by no means certain that Sir Charles was pleased with the idea of being relegated to the High Commissionership. It is noteworthy that in his *Recollections of Sixty Years in Canada* he dismisses the subject of his appointment with the single sentence: "I went to England in 1883, to fill the position of High Commissioner, the Hon. John Henry Pope being acting minister of Railways and Canals during my absence from the Dominion." The field of action was the arena he preferred, while the whole fibre of his being revolted against yielding to a jealous cabal. But there were reasons which induced him to give Sir John's proposals favourable consideration. Sir John was only sixty-eight and the prospects of the Premiership were dim and hazy. Moreover, he felt assured that he enjoyed Sir John's confidence and that the pressing of this office upon him was not according to the personal wish of his leader.

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Sir Charles Tupper's acceptance of the High Commissionership left a large blank in the political life of Canada, but he acted in accordance with true patriotism in accepting this post, and raised it to an importance not contemplated when it was originally created. He infused great vigour into the discharge of duties previously regarded as perfunctory, and was watchful regarding everything which concerned Canada's interests. When the Imperial Government was about to take steps to prevent Canadian cattle being admitted to Great Britain on the ground that disease had been discovered among cattle in some parts of the United States, Sir Charles went straight to Liverpool with British experts, caused several animals selected by the experts to be slaughtered and carefully examined, in which technical investigation his medical education gave him a strong position. So far as it was in human power to establish the unimpeachable freedom of Canadian cattle from all disease, Sir Charles was absolutely triumphant. Not a trace of disease was found in a single animal slaughtered. But this had no effect in staying the determination to place an embargo on Canadian cattle, which for many years remained under the ban, though the most conclusive evidence has been repeatedly furnished that no disease existed. This leads to the suspicion that other reasons than fear of disease contributed to uphold this policy. It had every appearance of

GUARDING CANADA'S INTERESTS

being a prohibitive measure in the interest of British cattle-raisers. This matter has only been referred to as an instance of the personal devotion of Sir Charles in determining that no means should be spared to see that the cattle industry of Canada was given fair play. He literally took off his coat when the expert examinations were made and relaxed no effort, physical or moral, to prevent the cattle of his country from being unjustly aspersed.

He put himself in touch with each department of the Imperial Government in which Canadian interests were concerned. Whatever of quiet indifference or *laissez-faire* had marked the attitude of British ministers concerning Canada disappeared before the resolute conduct and clear cut representations of the Canadian High Commissioner. The large self-governing States of Australia and New Zealand had already representatives in London. But Canada was recognized as the most important of Great Britain's overseas possessions, and as the Canadian High Commissioner was naturally the *doyen* of this corps of colonial representatives he sought to give a status to the whole service. His efforts helped materially to bring about a real birth of interest in colonial matters in Great Britain, which has since been advanced by political developments in the United Kingdom. The Colonial Secretary's office was a constant recipient of Sir Charles' personal visits and he contrived to weave Canadian interests

SIR CHARLES TUPPER

into the warp and woof of British policy. It had not fully dawned upon the red-tape officials of Downing Street to what a large and growing degree the interests of the expanding British communities overseas were associated with Imperial concerns; when this began to percolate through the official mind, Downing Street adopted a new attitude towards the colonies, and presently the intelligent classes of Great Britain came to realize how far the interests of their own islands might be involved in securing the support and co-operation of communities bound in a very short time to be rich and powerful, and disposed to be attached to the flag. In helping to bring about this change Sir Charles was a true and rational Imperialist; but he was brought into conflict with men who were, at one time, banded together in a league to promote a project of Imperial Federation, which seemed to him visionary and in some ways most objectionable. While warmly attached to the Empire and anxious to consolidate, under the Crown, the united efforts and attachments of the coming nations evolving from colonies, he always had the sense and grace to recognize that this could only be achieved upon a basis of autonomy and a regard for the pride and national *amour propre*, if this expression may be used, of the young giants oversea. For this reason he soon came into sharp antagonism with the crochets of the Federationists. It was in no small degree through his

HIS WORK IN LONDON

practical utterances and actions that the Imperial Federation League was dissolved and that other and more rational methods of Empire consolidation were adopted.

Sir Charles was unceasing in his attentions to Canadians visiting London, and took the utmost pains to see that those who were entitled to it received due official recognition. He was, likewise, a constant attendant at public dinners where Canadian interests were likely to be discussed, and made many, and sometimes lengthy, speeches in support of Canadian aspirations and in representing Canadian progress. In time there appeared in some of the London dailies criticism of these protracted observations, which indicated that the zeal for colonial attachment was not sufficient to induce a Londoner to forego his desire for social quiet and his antipathy to serious after-dinner dissertation. But Sir Charles effected his purpose in compelling due consideration of Canadian affairs, and demonstrated the value of the country as a field for investment and a desirable place in which to settle the unemployed surplus population of the British Islands. He did not remain in office sufficiently long to see the realization of his hopes in this latter regard, for the tide of immigration to Canada only began to flow freely at a later period; but often the history of the world has verified the truth of the ancient proverb, "one soweth and another reapeth." That his

SIR CHARLES TUPPER

work in London was appreciated is evidenced by the bestowal on him in 1886 of the Grand Cross of St. Michael and St. George.

If it be true that Mr. D'Alton McCarthy was in any way identified with the efforts made to secure the withdrawal of Sir Charles Tupper from the Canadian political field, events showed that he gained little by his labours. Sir Charles did not at first resign his portfolio and seat in the Cabinet, but he was subjected to so much criticism on account of his "hybrid character of minister and servant of the Crown"¹ that he finally resigned from the Cabinet. The readjustment of the portfolios, therefore, did not take place for more than a year after his appointment as High Commissioner. It was expected in some quarters that Mr. McCarthy would enter the Government as Minister of Justice, but this was not the arrangement that Sir John Macdonald ultimately made. At the time of Sir Charles' retirement, Sir Alexander Campbell was Minister of Justice. He was easily induced to exchange this position for the Postmaster-Generalship, and the Department of Justice fell to Mr. John S. D. (afterwards Sir John) Thompson of Nova Scotia, who left the Supreme Court Bench to accept this portfolio. This caused,

¹ "To avoid breaking his head against the Act providing for the independence of parliament, it was arranged that he should not receive salary for the High Commissionership, but he did consent to accept a residence and a certain sum for expenses."—Collins, J. E.: *Canada under the Administration of Lord Lorne*, p. 296.

D'ALTON McCARTHY

it was said at the time, a final breach between Mr. McCarthy and Sir John Macdonald, and led to Mr. McCarthy pursuing a course quite independent of the Conservative party, and designed to injure rather than benefit it. And not only did he fail to secure the Premiership, if he ever aspired to it, but he soon found himself dissociated from all party affiliations, and scarcely an appreciable factor in public life. He always displayed marked ability and had a recognized place in the regard of his peers in professional and political life, but he died with his dreams of political prestige and power unrealized.¹

¹No reliable evidence exists that Mr. McCarthy ever aspired to the Conservative leadership, and, for ought that is definitely known, he may have declined the Department of Justice. All that can be said on the point is that current rumour associated the series of events above narrated with Mr. McCarthy's subsequent attitude towards the administration.

NOTE ON TUPPER'S IMPERIALISM, see p. 186

Sir Charles was no great lover of British diplomacy, and on one occasion went so far as to tell Lord Salisbury, at the time Foreign Secretary, that "if, under existing circumstances, prompt action is not taken, Canada can only come to the conclusion that the British flag is not strong enough to protect her." *Recollections of Sixty Years*, p. 210.

He also favoured separate Canadian representation at Washington. *Correspondence of Sir John Macdonald* (Oxford University Press), pp. 431-2.

W. L. G.

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CHAPTER VII

RETURN TO POLITICAL LIFE (1887-1891)

WHATEVER incidents may have led to the retirement of Sir Charles from the Government, Sir John and all his leading friends felt that he was an indispensable factor in a political contest in the Dominion, and, when the general election of 1887 was approaching, an urgent request was sent to him to return to Canada. In this crisis in the history of the Conservative party, it was not so much the actual number of votes that Sir Charles' presence and speeches would influence; as the fact that so strong and resolute a man in the field, sending forth his thunderbolts, would be a moral force inspiring confidence. He would give nerve and ardour to the Conservative combatants. Sir John's appeal was urgent and was couched in terms which Sir Charles could scarcely ignore.

"On the train, 20th December, 1886.

"My dear Tupper,

"I am on my way back to Ottawa after a successful tour in Western Ontario. We have made a very good impression and I think will hold our own in the Province. We have, however, lost nearly the whole Catholic vote by the course of

SIR CHARLES TUPPER

the *Mail*, and this course has had a prejudicial effect, not only in Ontario but throughout the Dominion, and has, therefore, introduced a great element of uncertainty in a good many constituencies.

"In Nova Scotia the outlook is bad, and the only hope of our holding our own there is your immediate return and vigorous action. It may be necessary that you should even return to the Cabinet. McLelan, I know, will gladly make way for you. Now the responsibility on you is very great, for should disaster arise because of your not coming out, the whole blame will be thrown upon you. . . .

"I cannot, in conclusion, too strongly press upon you the absolute necessity of your coming out at once and do not like to contemplate the evil consequences of your declining to do so.

"I shall cable you the time for holding an election the moment it is settled.

"Believe me, Yours faithfully,

"JOHN A. MACDONALD."

This appeal was welcomed by Sir Charles, and he made ready to enter with avidity into a hot political campaign. Sir John conceived that Sir Charles would most effectively aid in the election by becoming a member of the Cabinet and he therefore induced Mr. A. W. McLelan, the Minister of Finance, to retire in Sir Charles' favour and take the Post Office Department. Sir Charles

RETURNS TO CANADA

came to Canada at the beginning of 1887 and was sworn into office on January 17th. It was necessary to obtain a constituency. His place as member for Cumberland had been taken in 1884 by Mr. C. J. Townshend. A hint of a prospective judgeship was quite sufficient to secure Townshend's retirement, and Sir Charles returned to his own constituency, which had so long given him its steady and undiminished support. He was opposed by a regular Opposition candidate and by a Prohibitionist as well, but was elected by a large majority. He played a strenuous part in the campaign not only in Nova Scotia, but in other parts of the Dominion. In his own province Sir Charles secured fifteen seats to six won by his opponents. The Government was sustained by a large majority; Mr. Blake, despairing of the future, retired in disgust from the leadership of the Liberal party, and Mr. Wilfrid (afterwards Sir Wilfrid) Laurier was chosen in his place.

A very important public duty was imposed upon Sir Charles soon after his return to the Ministry. International complications had arisen over the enforcement by Canada of the fishery clauses of the Treaty of 1818. In 1885 the United States Government had deliberately terminated the fishery clauses of the Treaty of 1871, which had so happily disposed of the unfortunate causes of friction that were bound to arise under a strict enforcement of the terms of Article I of

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the Treaty of 1818. At first glance the action of the United States seems incomprehensible. No one was apparently being injured. But the fish-dealers of Gloucester and vicinity, who were at the moment powerful at Washington, wished to be rid of the provision for the free admission of Canadian fish, while the general public resented what they considered the absurdly excessive money award given Canada by the Halifax Arbitration. But this would seem a slender reason for a great nation to disturb amicable relations with an important neighbour and invite incessant friction and trouble. When, however, the treaty was terminated, the Canadian Government naturally put in force the fishery clauses of the Treaty of 1818. American vessels were seized for fishing in Canadian waters and for entering Canadian ports for other purposes than those defined by the treaty. The procuring of bait and supplies and the transhipment of cargo were absolutely prohibited. Those who had been so determined to secure the termination of the Treaty of 1871 had evidently not sufficiently considered the full consequences. They were content to forego the privilege of fishing in Canadian waters, but they did not foresee the inconveniences which would result from their being denied the procuring of bait and supplies and the right to tranship cargo. The seizure of American ships created much excitement in the United States and much violent discussion in

COMMISSIONER TO WASHINGTON

Congress. Retaliatory measures of the most drastic character were submitted and adopted, but the enforcement of these was fortunately left to the discretion of the President, and Mr. Grover Cleveland, who held that high post at this period, wisely abstained from the exercise of his powers.

After a long wrangle the American Secretary of State at last proposed that the whole question of the interpretation of the Treaty of 1818 be submitted to a Joint High Commission. This proposal was at once accepted by the British Government, with the assent of Canada. It was, of course, necessary that Canada should be represented on such a commission, and Sir John Macdonald, who had not altogether agreeable memories of his participation in the negotiation of the Treaty of 1871, preferred not to court a second unpleasant experience, so he offered the post to Sir Charles Tupper. The choice was a good one. Sir Charles possessed exceptional qualifications for such a delicate and important task. The other British Commissioners were Mr. Joseph Chamberlain and Sir Lionel Sackville-West, the British Minister at Washington. The United States was represented by the Secretary of State, Mr. Thomas F. Bayard, Mr. W. L. Putnam of Maine, and Mr. James B. Angell, President of the University of Wisconsin.

Before any formal appointment of representatives was made, Sir Charles left his sessional

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duties at Ottawa for a short visit to Washington, where he discussed the question in an informal and friendly manner with the Secretary of State and other Washington authorities, paving the way to official action. Soon after his return he received a friendly letter from Mr. Bayard to which he responded promptly. Both letters were couched in a broad and amicable spirit.

The Commissioners met in Washington on November 27th, 1887, and spent many days in negotiation. Sir Charles had at his side as associate counsel Sir John Thompson, Minister of Justice, and Newfoundland interests were represented by Mr. James Winter, Attorney-General of that colony. Sir Charles put forth every effort to secure a measure of reciprocity, but to no purpose. He even went so far as to propose unrestricted reciprocity, or, as he was pleased to state it, "an unrestricted offer of reciprocity"—that is, in effect, that there should be no special articles singled out as in previous negotiations on the subject, but that he was prepared to take up the question from a standpoint of a free discussion of any and all articles. But sentiment at Washington was not favourable to any closer trade relations with Canada, and nothing was achieved in this direction.

The immediate object of the Conference, however, was accomplished by a treaty or convention settling the matters in dispute in relation to the

THE FISHERIES NEGOTIATIONS

fisheries. It provided that a Commission be appointed to define specifically those parts of the coast of Canada and Newfoundland on which the right remained in the United States to take and cure fish, and those on which they had forever renounced such right. The convention also prescribed that alleged violations of the conditions of the treaty should be tried by the courts of the place where the infringement occurred, subject to full right of appeal. All right of fishing within the three mile limit, in those parts of British North America from which American fisherman were excluded by the Treaty of 1818, was relinquished, but one article provided that whenever the United States should remove the duties from fish, fish-oil, etc., coming from Canada, the fishing vessels of the United States should be accorded full privileges for the purchasing of provisions, transshipment of cargo, shipping of crews, etc. The basis for determining the right to enter bays and inlets was that at every bay, creek, or harbour, not otherwise specially provided for in this treaty, such three marine miles should be measured seaward from a straight line drawn across the bay, creek, or harbour in the part nearest the entrance at the first point where the width did not exceed ten marine miles. Annexed to this convention was a protocol providing for a *modus vivendi* to last for two years, pending the adoption of the terms of the Treaty by the several con-

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tracting parties. Under this, special privileges were to be accorded to American fishing vessels in Newfoundland and in Canadian ports and waters. Great Britain and Canada accepted the Treaty, but the Senate of the United States, apparently actuated by political considerations, refused to ratify it; but in a spirit of conciliation, the Canadian Government from year to year extended the operation of the *modus vivendi*, so that American fishing vessels long continued to enjoy privileges in Canadian waters which by the Treaty of 1818 they renounced. In 1910 the fishery question was finally settled by the International Tribunal at the Hague, on the whole greatly in Canada's favour.

Sir Charles regretted bitterly the failure of the Reciprocity negotiations, but his work at Washington was subjected to scarcely any public criticism in Canada. There was a pretty well authenticated story that, after his return, during the session of 1888, at a caucus of the supporters of the Government, some of the members made serious objections to his liberal offers of Reciprocity, claiming that these were inconsistent with the National Policy and not justified by the public opinion of the country. Serious objections were also taken to Sir Charles' determined demand that the Treaty be ratified by the Canadian Parliament. Sir Charles vigorously defended his conduct, declared, as he justly might, that he had

RETURNS TO LONDON

given his best energies to the public service and to the interests of the party with which he had been associated for a life time, and that he was perfectly ready, if his acts were not satisfactory to his associates, to retire from the public service. This effectually silenced the malcontents and Sir Charles was amply vindicated by his political associates.

Soon after the conclusion of the session of 1888, Sir Charles resigned his portfolio and returned to his duties as High Commissioner in London (May, 1888). He had performed the service for which he had been summoned to Canada and preferred the work of furthering Canadian interests at the capital of the Empire. While sitting in the House as a Cabinet Minister, he had still retained the office of High Commissioner but did not draw the salary.

On August 24th, 1888, Sir Charles received an official letter from Lord Salisbury, then Prime Minister of Great Britain, informing him that the Queen had been pleased to confer on him the honour of a Baronetcy in token of her appreciation of the good service he had rendered to her and to the Empire at the recent Conference at Washington.

Nothing of special importance in connection with Sir Charles' administration of affairs occurred during the two years following his resumption of the duties of High Commissioner. The most

SIR CHARLES TUPPER

stirring incident was in connection with the Blaine-Bond Convention made secretly at Washington, which, if it had been approved by the Imperial Government, would have been equivalent to the abandonment of British rights in British North American waters. It is not essential to give a history of this transaction, but only such points as bear upon Sir Charles' action.

Dissatisfied with the failure of negotiations in 1888, the idea occurred to Sir William Whiteway, Premier of Newfoundland, that if he could bring about a separate treaty with the United States, it would be in the best interests of the fishermen of Newfoundland. He procured from the Secretary of State for Foreign Affairs a letter of introduction for Mr. Robert Bond, a member of the Whiteway Government, to Sir Julian Pauncefote, British Minister at Washington, in which a reference was made to some possible trade arrangements with the American Government. Armed with this letter Mr. Bond went to Washington and soon framed a treaty with Mr. Blaine whereby, in consideration of Newfoundland allowing United States fishermen to procure bait and supplies in Newfoundland ports and the right to tranship cargoes and ship seamen, the United States agreed to admit fish and a number of other articles, the produce of Newfoundland, to the United States market free of duty. This was excellent for Newfoundland but very serious for Canada. Once

THE BLAINE-BOND CONVENTION

Newfoundland had granted full trading privileges to the United States fishing fleet in Newfoundland ports they could snap their fingers at Canada and the provisions of the Treaty of 1818. It deprived all British North America, except Newfoundland, of the lever which the treaty afforded for securing reciprocal privileges with the United States. As the Dominion represented nearly five millions of people and Newfoundland less than two hundred thousand, the extraordinary character of this transaction can be estimated. No intimation had been given to Canada of the negotiations and the Canadian Government obtained the first hint of what was going forward from statements in the American press, which, strange to say, were inspired by the exuberance of Mr. Bond on becoming assured of his success.

Sir John at once cabled to Tupper urging the need of strong representations to the Imperial Government against the ratification of this treaty. When Sir Charles put himself promptly in communication with the Imperial authorities they were pleased then, for the first time, to advise him of a cable message they had received some days previously from Sir Julian Pauncefoot informing the Foreign Office of the negotiation of a separate arrangement between Newfoundland and the United States Government relating to the fisheries, and suggesting—very properly—that the Government of Canada should be informed. One

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would have thought that not an hour would have elapsed before the Canadian Government would have been advised of these vitally important proceedings. Sir Charles immediately addressed to the Secretary of State for the Colonies the following communication:

Victoria Chambers, 17 Victoria St., London,

27th October, 1890.

“My Lord,

“I had the honour to receive at Paris on the 23rd inst., Mr. Bramston’s dispatch of the same date, saying: ‘I am directed by Lord Knutsford to acquaint you that a telegram dated the 6th inst. has been received from Her Majesty’s Minister at Washington by the Secretary of State for Foreign Affairs, of which the following is the purport: ‘With reference to your dispatch of the 10th ultimo, introducing Mr. Bond, I have presented that gentleman to Mr. Secretary Blaine, and negotiations are now going on with a view to an independent arrangement between the United States and Newfoundland relating to the fisheries. Before negotiations go further, I would suggest that the Government of Canada might be informed of them, as they might wish to negotiate on the same lines as regards New Brunswick and Nova Scotia.’

“I had previously received a telegram from the Premier of Canada as follows: ‘Bond, Whiteway’s Minister, now at Washington announced authority

THE BLAINE-BOND CONVENTION

from Imperial Government to make separate fishery treaty. Ascertain truth and enter protest. See also *New York Herald* 13th, *Boston Herald* 18th October.'

"I believe I am right in saying that, in reference to the question of the Atlantic North American fisheries, Her Majesty's Government has hitherto invariably recognized the importance of obtaining unity of action so far as was possible on the part of all the colonies interested. In the Treaty of Reciprocity with the United States in 1854, the consent of Newfoundland, as well as of the various provinces of Canada was made necessary to its going into operation; and the same course was followed subsequent to Confederation in reference to Treaties of 1871 and 1888.

"I learn with deep regret that this obviously sound policy has not only been departed from, but that, while Newfoundland has on previous occasions been fully advised as to negotiations that were to be undertaken, Her Majesty's Government have, without any intimation to Canada of what was proposed, authorized, so long ago as the 10th September, Newfoundland to open negotiations for a separate treaty with the United States; and that the first communication to Canada is a suggestion from Sir Julian Pauncefote, not to include Canada in the proposed arrangements, but 'that the Government of Canada might be informed of them as they might

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wish to negotiate on the same lines as regards New Brunswick and Nova Scotia', i.e. for a treaty independent of the other provinces of Canada.

"I should fail in my duty to the Crown as well as to Canada if I did not promptly assure your Lordship that I feel confident that the difficulties of the vexed question of the British North American Fisheries will be greatly increased by the wide departure that is now proposed from the long established policy that has hitherto prevailed upon this important question.

"I am, etc.,

(Sgd.) CHARLES TUPPER."

"Right Hon. Lord Knutsford, K.C.M.G.,
Secretary of State for the Colonies."

"P.S. Since writing my letter I have received the following telegram from Sir John Macdonald, which I beg to quote for the consideration of Her Majesty's Government: 'Can scarcely believe Newfoundland has received authority from Imperial Government to make separate arrangement regarding fisheries. The relations of all the North American provinces to the United States and to the Empire would be affected. We are not informed of powers given to Bond and desire communication of them. Please represent strongly the fishery and the commercial interests of Canada will be injured by such an arrangement as Bond is currently reported as making, and how disastrous, from the national point of view, it would be for

THE BLAINE-BOND CONVENTION

a separate colony to effect an arrangement with the United States more favourable than would be given to the confederated provinces. Our difficulties under the new American tariff are sufficiently great now.'”

This letter was acknowledged by the Secretary of State for the Colonies on November 1st, and assurance given that his representations would receive careful consideration. It would seem, viewed from any rational standpoint, a perfectly self-evident proposition that any such arrangement as that made between Messrs. Blaine and Bond would be instantly and unhesitatingly vetoed. This course was ultimately pursued, but the correspondence reveals doubt and vacillation on the part of the Imperial Government, and one may well wonder what irrevocable mistake might have been made if Canada had been represented in London by a less persistent, vigorous, and resourceful man than Sir Charles Tupper.

Shortly after these stirring incidents, Sir Charles was again the object of the Macedonian cry from Sir John Macdonald and his associates. A general election was determined upon early in 1891. The Liberal party was pressing the issue of unrestricted reciprocity, and it was felt expedient to bring on an election before another session of the House and before any definite assurances were received from the authorities at Washington. Unquestionably, at this period, the sentiment in

SIR CHARLES TUPPER

favour of reciprocity with the United States was very strong in Canada, and with his usual astuteness Sir John Macdonald determined to seem to go to the electors upon the issue of proposed negotiations for reciprocity with the United States, although the statements put forth on the brink of the election, in the light of facts which subsequently developed, were at least disingenuous. What saved the Government in this contest was not confidence in its disposition to achieve reciprocity, but the doubt which arose in many minds as to the goal to which a far-reaching measure of reciprocity with the United States might lead. It was Sir John's appeal to the British sentiments of the country which finally decided the issue and saved the Government.

Although Sir Charles was urged to throw himself into the fray, it was not deemed needful that he should give up his office, enter the Cabinet, or even become a candidate for Parliament. Naturally the criticism was persistently made that it was unseemly that a public official should be an active participant in a purely partizan contest; and, strictly speaking, this was just. But it availed little in the excitement of an election contest, and Sir John Macdonald subsequently accepted for the Government full responsibility for any departure from the usual rule governing public servants.

One of Sir Charles' first steps in this campaign

AN ACTIVE POLITICIAN

was to publish in the *North American Review* an article entitled "The Wiman Conspiracy Unmasked", in which, in a trenchant attack on Mr. Erastus Wiman, one of the most conspicuous leaders in the reciprocity movement, he professed to have discovered a plot to hand over the Dominion to the United States. He addressed meetings in various parts of Canada, but his principal work was done in Nova Scotia. At a huge gathering in Halifax, though two Ministers were present, he consumed nearly the entire evening. His presence was always a source of inspiration to his party. He did not confine himself to mere spectacular platform efforts, but gave close and minute consideration to every phase of party strategy. The result of the election was a small majority for the Government, but none of the provinces gave better results for the administration than Nova Scotia, where the Opposition was able to secure only five seats.

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 from the future to the end of the
 world.

CHAPTER VIII

AGAIN IN LONDON (1891-1896)

SOON after the election of 1891, Sir Charles returned to London and resumed the duties of High Commissioner. Shortly after his arrival he went to Vienna to represent Canada at a meeting of the International Postal Union. While he was in Vienna there occurred a momentous event in the history of the Conservative party. On June 6th, 1891, there passed away Sir John Macdonald, the unquestioned leader, the supreme arbiter, and the guiding spirit of the Conservative party. A natural successor among his colleagues there was none. The matter had scarcely been considered. No man existed so well qualified for the post as Sir Charles Tupper. Had he been in the Cabinet, or, indeed, in Canada at the time, no other name, probably, would have been mentioned. But Parliament was sitting and delay of any kind was in every way undesirable. Besides, Sir Charles' long residence in London had resulted in throwing his merits and his claims for the supreme honour in the gift of his party somewhat into the background. Then, too, he was not exempt from the fate of all strong men in evoking jealousies and secret dislikes on the part of inferior men.

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His son, Charles Hibbert, had become a Minister on his retirement in 1888, and some there were who thought, and even said, that the country was having too much Tupperism in its affairs.¹ It is not absolutely certain that even his son was keen for his return to assume the leadership, since this would probably involve his own retirement from the Ministry. It was even hinted at the time that Mr. C. H. Tupper, though the youngest member of the Cabinet, had himself aspirations for the leadership. In the Cabinet there was one man who, in point of endowments and capacity, could be fairly considered for the Premiership—Sir John Thompson. He had been less than six years in the House of Commons and came from one of the smaller provinces, but his great talents, dignity, and prudent reserve had justly won him both respect and admiration. As it was soon determined, among the few people in whose hands rested the power of deciding, that Sir Charles was not to be sent for, most eyes turned towards Sir John Thompson as the new leader; but Sir John, whose talents were not greater than his modesty, doubted at the moment his own power to secure the adhesion of the party. Sir John Macdonald had consolidated by his political genius, and was in grave doubts whether

¹“It created a great deal of jealousy, and had much to do with the refusal to select Sir Charles Tupper as leader after Sir John A. Macdonald’s death.” Cartwright, Sir Richard J.: *Reminiscences*, p. 288.

MACDONALD'S SUCCESSORS

a man of his religious faith would be acceptable to all classes in the community. The difficulty was overcome by the selection of Mr. J. J. C. (afterwards Sir John) Abbott, a wealthy and influential member of the Senate and a member of the Cabinet, and he reorganized the Government, choosing his late colleagues as members of his administration. Sir John Thompson led in the Commons and was the Minister most active in the discharge of the routine business of the Government. Not much more than a year later Sir John Abbott resigned on account of ill health, and Sir John Thompson became Premier.

It is impossible to say what Sir Charles Tupper's secret thoughts were at this period of transition. Even a man's own words, in a matter entirely personal, are not always a true index of his real feelings. We have a letter written by him to his son under date of June 4th, 1891, when Sir John Macdonald's condition had become hopeless, and when this was known in London and to Sir Charles himself, who for the moment was at Vienna.

"Vienna, 4th June, 1891.

"My dear son,

"I, as you know, have always felt the deepest personal attachment for our great leader, Sir John Macdonald, but I myself did not know how much I loved him until, on my arrival here last Saturday, I learned that he was struck down by illness. The news was then reassuring and I

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attended the dinner at the Hoffburg Palace with the Emperor and King at four o'clock, but refused the invitation of the Minister for the theatre that evening and all invitations since. It now seems that there is no hope; how mysterious are the ways of Providence; never in his long and useful life have his invaluable services been so important to Canada and to the Empire, and God alone knows what the consequences to both may be. I received your telegram saying that there was a disposition in certain quarters that Sir John Thompson should succeed him, with great satisfaction and a strong sense of personal relief. You know I told you long ago, and repeated to you when last in Ottawa, that nothing could induce me to accept the position in case the Premiership became vacant. I told you that Sir John looked wearily up from his papers and said to me, 'I wish to God you were in my place,' and that I answered, 'Thank God, I am not.' He afterwards, well knowing my determination, said he thought Thompson, as matters now stood, was the only available man. Of course he had in view the charges which have been made against Langevin and still pending. Had it been otherwise, and had I been in Parliament, I would have given him my support as you well know.

"When this terrible blow came, I naturally dreaded that my old colleagues and the party for whom I have done so much might unite in asking

A EULOGY OF MACDONALD

me to take the leadership, and I felt that in that case a serious responsibility would rest upon me. Believing, as I do, that compliance would have involved a material shortening of the few years at the most remaining, you can imagine, my dear son, the relief with which I learned that I was absolved from any such responsibility, and able to assure your dear mother that all danger was past. Your course, my dear son, is to think only of your duty to Canada and that is to give your hearty support to whatever can combine the members of the party in the greatest degree. I need not tell you how glad I would be if our mutual friend Thompson should be the man. His great ability, high legal attainments, forensic powers, and, above all, his personal character, all render his choice one of which our party and country should be proud.

“It was a strange coincidence that about one o’clock on Wednesday night, the 27th ultimo, I concluded my speech in response to a toast at a banquet given to myself by a large number of peers and members of the House of Commons of both parties, by an eulogium upon Sir John Macdonald, when, by a slip of the tongue I used the words, ‘And now at the close of this long and useful life—’ which I immediately corrected myself by expressing the hope that he would be spared many years to serve his country as he had done in the past. While this prayer, for such it was,

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was enthusiastically cheered by the Lord Mayor, the three ex-Secretaries of State for the Colonies of both parties, and many members of the House of Commons, both Liberal and Conservative, my dear friend appears to have been struck by the fatal shaft and our prayer denied. We can only bow with submission, knowing that the blow came from One who doeth all things well. Let us all endeavour to work as untiringly and as unselfishly for the progress and prosperity of our country as Sir John Macdonald has done, and, come what may, we will be consoled, as he has been, with the conviction that we have done our duty.

“It is a source of great satisfaction in this sad hour to feel that through good and evil report I have stood at his side, and in storm and in sunshine have done all in my power to sustain and aid him in the great work to which he has, since first we met, devoted so successfully all his great powers. He has left a bright example for us to follow; let us endeavour to imitate it, so far as we can, and we will deserve well of our country.

“Your loving father,

“CHARLES TUPPER.”

This bears the appearance of an honest desire to escape the burdens and responsibilities of office. Sir Charles was then approaching his seventieth birthday and, of course, life did not present the same aspect to him that it bore in his younger

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days, when he rushed with zest into the struggle for place and power, but those who knew him intimately will, perhaps, while not doubting his sincerity when he penned these words, still adhere to the opinion that it may have been a case of self-delusion. It is difficult to disassociate from any conception of Sir Charles Tupper's character the desire for power, and when it is considered that more than five years later he accepted, without much hesitancy, the position from which he apparently shrank in 1891, and retained the leadership until 1900, there is ground for suspicion as to the deep-seated objections of Sir Charles to assuming the rôle of Prime Minister. The letter does reveal very clearly the complete absence of any petty desire to obtain place, and a manly readiness to accept without demur the decree of Fate.

After the death of Sir John A. Macdonald, Sir Charles continued to do valiant service for Canada, guarding her interests with untiring zeal. It was generally believed at the time that it was in no small degree upon his initiative that steps were taken by the Canadian Government to obtain a commercial treaty with France, under which the facilities for trade between the two countries might be improved. There was need of such action, for the trade statistics revealed the fact that, owing to the adoption of a stringent protective system by France, Canadian products were almost

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excluded from that country, the imports from France to Canada being nearly ten times greater than the exports from Canada to France. On the 16th of April, 1892, an Order-in-Council was passed by the Canadian Government asking the Imperial Government to appoint Sir Charles Tupper to act in connection with Lord Dufferin, British Ambassador at Paris, for the purpose of opening negotiations with the French Government for a trade treaty, and Lord Dufferin and Sir Charles Tupper were duly accredited to the Government of the French Republic for this purpose. Sir Charles arrived in Paris on this mission on October 27th, 1892. Arrangements had already been made by the British Ambassador for a Conference with the leading men of the French Government. Although Lord Dufferin gave every aid and assistance to Sir Charles Tupper in these protracted negotiations, yet the chief labour naturally devolved upon the Canadian representative, who devoted his earnest and unceasing attention to the tiresome details. He was subject at all times to the will of the Canadian Ministry and took care to report from time to time to the Prime Minister the progress of the negotiations. Nothing could be decided without the approval of Ottawa and the record shows that not infrequently misunderstanding arose, owing to the distance which prevented full and immediate explanations. Sir Charles grappled with these difficulties with

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consummate skill and patience, and finally secured the signing of the Treaty on the 6th of February, 1893. The details of this Treaty may briefly be given.

Canada agreed:

To abolish the surtax of 30 per cent. on all non-sparkling wines, gauging 50 per cent. alcohol or under,

To remove the surtax on sparkling wines of French origin,

To reduce by one-third the duty on nuts, prunes, and plums imported from France and to make 50 per cent. reduction in the duty on common soap.

France on her part agreed to give the following Canadian products her minimum tariff:

Building timber, staves, wooden ships, canned meats, lobsters, preserved fish, fruits, flooring in pine or soft wood, common furniture and furniture wood, wood pulp, apples and pears, boots and shoes, tanning extracts, freshwater fish, milk—concentrated and pure,—and common paper.

In addition to the express stipulations of the Treaty there was an understanding, embodied in notes exchanged between the contracting parties, that Canada should subsidize a direct steamship service between French and Canadian ports, and that France should reduce the duties on Canadian exports to the French Colonies of St. Pierre and Miquelon to a very low rate.

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This treaty was very fair to Canada, although not as comprehensive as many would have desired then, or as was afterwards obtained. But it had a long and troublesome course before its ratification. Grape-growers in Canada, on the one side, and temperance advocates, on the other, objected to the proposed reduced duties on wines. Sir Charles had to contend against both opposition and reproaches from his own Government, which he met with clear and cogent reasoning. The treaty was ratified by the French Parliament and by the Canadian Parliament in 1895, and was brought into operation soon after. Whatever glory belongs to the successful negotiation of a trade treaty with a foreign country is usually dearly bought by the person who has the responsibility of conducting the negotiations, and before this French treaty became an accomplished fact Sir Charles had many trying moments, and many occasions for the exercise of all his patience and prudence.

In December, 1894, after enjoying the distinguished honour of the Premiership for only two years, Sir John Thompson died suddenly in Windsor Castle on the occasion of being sworn in as a Privy Councillor, and his death evoked profound sympathy throughout the Empire. Sir Charles Tupper was foremost in attending to all details made necessary by this tragic event, and Her Majesty's Government placed a battleship at the disposal of the relatives of the deceased

A WEAK ADMINISTRATION

statesman for conveying his body to Halifax, where a state funeral was arranged by his colleagues. At this moment a demand arose from many quarters in Canada for Sir Charles Tupper to take the helm, it being felt that there was no member of the Cabinet endowed with his unquestioned capacity for leadership. However, the senior Cabinet Minister, Mr. Mackenzie (afterwards Sir Mackenzie) Bowell, was chosen, but before a year had passed it was generally admitted that both public affairs and party interests were in weak hands. It would have been well for the Conservative party if in his stead Sir Charles Tupper had been summoned, as undoubtedly many unfortunate incidents, fatal in their consequences to the party, would have been avoided. It may be that even Sir Charles' energy and ability would have been unequal to the task of saving the Government. But be this as it may, Sir Mackenzie Bowell's administration was dismally weak and resulted in a bolt from his Government which finds no parallel in the annals of constitutional government within the British Empire.

The supreme question engaging the attention of the administration in 1895 was the Manitoba School question. After protracted litigation, the Judicial Committee of the Privy Council decided that the Canadian Government had power to make a remedial order in behalf of the Roman

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Catholic minority in Manitoba, and that if this were not complied with by the Provincial authorities, then remedial legislation in furtherance of such order might be passed by the Dominion Parliament. This judgment was known before the close of the session of 1895, and it was known, also, that the Government of Manitoba would decline to comply with the order. There was a strong demand on the part of the Quebec members of the Government that remedial legislation be submitted and adopted before Parliament prorogued. It was not deemed practicable to do this, but a solemn promise was made by the Ministry that if the Manitoba Government had taken no effective steps to remedy the wrongs done to the minority in relation to separate schools the Government would submit a Remedial Bill at the opening of the next session. Even this did not satisfy one of the Quebec Ministers, Mr. A. R. Angers, who resigned and, when pressed, refused to return to office. It was felt by most of Sir Mackenzie Bowell's colleagues that it was a matter of grave importance that some strong man from Quebec should be chosen to fill the vacancy, since the province of Quebec was likely to be the storm centre in the ensuing electoral contest. It was also felt that a Remedial Bill should be prepared and ready for the House as soon as it met.

The whole period of the recess passed and no

THE PACIFIC MAIL SERVICE

step was taken to secure either of these objects. The Cabinet vacancy remained unfilled and not a line of the Remedial Bill had been prepared. This, it was alleged, was due entirely to the unaccountable inaction of the Prime Minister.

Meanwhile Sir Charles had been doing valiant service for Canada in Great Britain. Largely through his efforts the Empress Line steamship service was established between Vancouver and the Orient. He began his agitation for this service during his first term as High Commissioner. He urged that as Canada had built the Canadian Pacific Railway without the assistance of the British Government it was entitled to an Imperial subsidy for a mail service across the Pacific. He asked Mr. G. J. Goschen, Chancellor of the Exchequer, "for an annual subsidy of £45,000, pointing out that Canada had agreed to contribute £15,000 a year for the same object." During Sir Charles' absence in Canada in 1887 and 1888 he intrusted this matter to Sir John Rose. Sir John was unsuccessful in his negotiations and Sir Charles, on his return to London, once more took up the question with Mr. Goschen. There were difficulties in the way; and while Mr. Goschen favoured the subsidy he maintained that it would be impossible to get the House of Commons to make the grant. But Sir Charles continued his efforts and as a result the Canadian Pacific Railway received the mail subsidy and, as Sir Charles

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triumphantly remarked, "the only objections raised were, that the grant was too small, and that a more frequent service should have been provided for."

The High Commissioner of Canada likewise strove energetically to bring about the establishment of an "all-British" Pacific cable and a Fast Atlantic Service. In November, 1895, he went fully into these questions with Mr. Joseph Chamberlain, Secretary of State for the Colonies, and was so far successful as to get that statesman's assurance that Her Majesty's Government would take up the question of the Fast Atlantic Service, and also deal vigorously with the prosecution of the Pacific Cable project. Writing to Sir Mackenzie Bowell on November 19th, Sir Charles was able to say with regard to the cable project: "I think we may all congratulate ourselves on having advanced this matter in such a material degree as I have no doubt will result in promptly securing the establishment of this invaluable line of communication." The Fast Atlantic Service under his guidance made more definite progress, so much so that early in 1896 he arrived in Canada to arrange the details with Sir Mackenzie Bowell. The outcome of his work was that, when leader of the House a few weeks later, he was able to submit a resolution authorizing the Government to subscribe £150,000 annually towards a 20-knot service. The British Government had previously

A DIVIDED GOVERNMENT

agreed, conditionally, to contribute £75,000 to the same service. This resolution passed and a contract was entered into with the Allans, of Glasgow, but Lord Aberdeen, the Governor-General, withheld his assent, and when the Liberals won office at the general elections in 1896 they refused to ratify the contract.

Parliament met on the 2nd of January, 1896. The Speech from the Throne was delivered and the reply moved and seconded, when suddenly it was announced that several of the strongest members of the Ministry had resigned,—Messrs. Foster, C. H. Tupper, Haggart, Ives, Wood, Dickey, and Montague. They gave as their reason for resigning, in effect, that the Premier had not sufficient force of character to be entrusted with the leadership of the party and the Government. According to the bolters it was impossible to get the Premier to take any decided course of action, and they believed that unless drastic changes were made the Conservative party would come to grief. The announcement of this bolt came suddenly and without a note of warning, and public excitement was raised to fever heat. No one could see the consequences of this extraordinary action. It might result in the downfall of the Ministry, and Mr. Laurier, the leader of the Opposition, took care to be prepared for any responsibilities that might be suddenly cast upon him.

Now occurred one of those singular coin-

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cidences which often mark the course of history. Some weeks previously it had been determined by the Cabinet that some action must be taken during the session on the subjects of immigration and transportation, and that direct consultation with the High Commissioner, Sir Charles Tupper, was necessary to an intelligent understanding of the situation. Sir Charles, as we have seen, had advised them that he had induced Mr. Chamberlain to support the Fast Atlantic Steamship service and the Pacific Cable. In consequence the Premier had cabled Sir Charles to come to Ottawa at an early day. Sir Charles sailed at once and arrived in Ottawa a day or two after the bolt. His presence was so timely and of such importance in the solution of the acute difficulties then existing, that it was difficult to make most persons, especially the opponents of the Government, believe that the bolt had not been timed to synchronize with his arrival. As a matter of fact, when Sir Mackenzie Bowell cabled neither he nor any member of his Government had the faintest forebodings of any such political *émeute*; nor, when the crisis came, and these gentlemen took the responsibility of resigning, did they stop to take account of the possible early arrival of Sir Charles Tupper. If they had had his coming in mind when they resolved on the drastic course adopted, they would surely have been more likely to have awaited his arrival in the hope that he might have been able

A PEACEMAKER

to find a solution of the difficulty without making a damaging public avowal of the dissension in the Cabinet. The truth is that Sir Charles Tupper was not thought of in the premises.

But Tupper's arrival was a veritable godsend. Owing to his great prestige and his strong character, it was easy for him to become the confidant of both sections of the party. He could frankly discuss the critical situation with Sir Mackenzie Bowell, and then with equal frankness with his son and with Mr. George E. (afterwards Sir George) Foster. He was able to play the rôle of mediator, enjoying the respect and confidence of all. He was in a position to point out the grave consequences which might result from a permanent cleavage, and the supreme need of a spirit of conciliation. Sir Mackenzie Bowell was considerably shaken in his self-confidence by the serious position in which he found himself, and ready to listen to a proposition to hand over to Sir Charles Tupper the responsibility of adjusting the differences and obtaining a working basis, all of which involved real leadership. The bolters were only too anxious to accept Sir Charles' leadership, and as a consequence, a truce was called, the bolters returning to the fold under the condition that the actual leadership should be vested in him at the close of the session. This involved Tupper's entry into the Cabinet, taking the department of Secretary of State, his son retiring

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to make a place for him. Sir Mackenzie Bowell's *amour propre* was saved by the retention of the Premiership until the end of the session, but it is not probable that the Cabinet was altogether a happy family after the return of the recalcitrants to the fold. However, as the Premier was soon to disappear, the temporary ills were borne with the patience which the instinct of self-preservation evokes.

It was mid-winter, but a seat must be obtained for Sir Charles. Mr. MacKeen of Cape Breton made way, but Sir Charles was not to have an easy road to Parliament. Mr. George H. Murray, a strong candidate, was put into the field by the Liberals, and a hot election contest ensued. Sir Charles was seventy-five years of age, Cape Breton was a large county and winter in full rigour. Yet he faced the situation without a murmur, and visited every part of the county, addressing meetings, large and small. He spent election day at the house of a personal friend in Sydney Mines, and when the polls were closing he went to the central committee rooms to receive the returns. Friends offered to do the figuring as the returns came in, but Sir Charles said that he had always done this himself and would do it now. First came the returns from Sydney Mines, which gave Mr. Murray an unexpectedly large majority; then North Sydney, which also went strongly in favour of his opponent, and then

LEADER IN THE COMMONS

Boulardarie, which gave returns vastly less favourable than at the previous general election. These were depressing and disconcerting results and foreboded defeat. Sir Charles laid down his pencil and threw himself upon a lounge, looking anxious and worried. In ten or fifteen minutes the returns showed that he had been handsomely elected and the barometer went up rapidly, but Sir Charles and his friends had had a few unpleasant minutes.

Almost immediately after his election Sir Charles returned to the Capital and after taking the oath and being introduced as a member, assumed the leadership of the House of Commons (Sir Mackenzie Bowell being in the Senate), and the business of the session, which had been in some suspense pending his arrival, proceeded. A Remedial Bill had been already introduced by Mr. Dickey, Minister of Justice, and the most pressing matter was to secure its adoption before the 24th of April, when Parliament would expire by the efflux of time. The limited time for legislation was an invitation to obstruction, even if other inducements had been wanting, and Sir Charles had not only to face the Opposition but a number of those who had been devoted adherents of his party. Mr. D'Alton McCarthy and Mr. Clarke Wallace, old opponents of Catholic claims, were in the forefront of the fight against what was called coercion of Manitoba,

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and consumed more time than any of the regular opponents of the Government.

It seemed, and will ever seem, strange to many, even to men not unfriendly to Sir Charles, that he should have expended so much energy in trying to secure legislation the purpose of which was to tie the hands of a young and progressive province which had determined that its best interests were bound up in the system of free, non-sectarian public schools. The reader will not need to be reminded that one of the most admirable acts of Sir Charles' early political life was the creation of just such a system of schools in his own province; nor is it necessary to recall the heroic struggle he made, at great peril to his political fortunes, to resist all efforts of the large and influential body of Roman Catholics, led by their able Archbishop, to graft on the public school system of Nova Scotia a species of sectarianism. Now, after more than thirty years, he is found straining every energy to fasten upon Manitoba the very evils he was so resolute in resisting in Nova Scotia.

There is only one answer to this. No intelligent person imagines that Sir Charles Tupper's heart was in this work. He did not in his own mind wish to force sectarianism upon Manitoba, but he found himself in a position which made such a line of action unavoidable. The Government had promised remedial legislation to the religious

MANITOBA SCHOOL QUESTION

minority in Manitoba. To have refused it, would have been a gross breach of faith. The die was cast before he had arrived upon the scene. While the judgment of the Privy Council did not, strictly speaking, impose upon the Government any action, yet the fact that the power to introduce remedial legislation had been unequivocally established, was almost equivalent to a command to do something.¹ The administration had made every effort to induce the Manitoba Government to accept a compromise, but without success. There was no disposition on the part of Mr. Greenway, the Premier of Manitoba, to lighten the difficulties of the Government. A Remedial Bill therefore, right or wrong morally, was a political necessity, and it would have been madness, after the Government had put its hand to the plough, if it had seemed insincere or lacking in earnestness. It

¹ "The Judicial Committee of the Privy Council in England declared that the rights of the French Catholics had been interfered with, and that it now devolved upon the Parliament of Canada to restore them." —Tupper, Sir Charles: *Recollections of Sixty Years in Canada*, p. 304.

"While the Judicial Committee [of the Privy Council] declined to give explicit direction to the federal authority, they closed their judgment with these pregnant sentences: 'It is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted, or that the precise provisions of these statutes should again be made law. The system of education embodied in the Act of 1890 no doubt commends itself to, and adequately supplies the wants of, the great majority of the inhabitants of the province. All legitimate ground of complaint would be removed if that system were supplemented by provisions which would remove the grievances upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions.'" —Willison, Sir John S.: *Sir Wilfrid Laurier and the Liberal Party*, p. 206.

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was necessary to carry the Bill if possible; if not possible, then to make a show of straining every nerve to ensure its being carried. This is just what Sir Charles did. He met obstruction by corresponding determination, and kept the House in session without adjournment from Monday afternoon until the following Saturday night. But no real progress was made, and the Government was finally compelled to abandon for the time the hope of passing its remedial measure.

CHAPTER IX

LEADER OF THE CONSERVATIVE PARTY (1896-1901)

AT the close of the session, in accordance with his agreement with the other members of the Government, Sir Mackenzie Bowell retired from the Premiership (27th April, 1896). Sir Charles Tupper became leader in his stead, and addressed himself to the task of creating a strong administration. He made no changes in the Cabinet representation from Ontario and the Maritime Provinces, but he found it necessary to act otherwise with Quebec and the West. Quebec being the storm centre, Sir Charles made special efforts to get as ministers the most representative Conservatives from that province. His best card would have been Sir Joseph Adolphe Chapleau, but Chapleau was then Lieutenant-Governor, and it was generally believed that he was not wholly in sympathy with his former political associates. There is excellent reason for thinking that Chapleau was playing his own game with Mr. Israel Tarte, who at this time was Mr. Laurier's right hand man in Quebec. Mr. W. B. Ives, who represented the English section, was an able man and was of course retained. Mr. A. R. Angers, who had retired a year before, and enjoyed in a

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large measure the confidence of the extremists in Quebec, was taken in as a token to the Quebec *Bleus* that Sir Charles was friendly. Mr. A. Desjardins had been appointed to the Cabinet as representing Quebec when matters had been patched up in January, and he also was retained. Sir Adolphe Caron was the other French representative. He was not intrinsically a man of much weight, but he was descended from a good family and exhibited in conspicuous form the attributes of a patrician. His value did not appeal to Sir Charles, who summarily disposed of him, giving the Hon. L. O. Taillon his portfolio. This may have been a tactical blunder,¹ and it is a singular coincidence that Messrs. Angers, Desjardins, and Taillon were all defeated at the following election, while the discarded Sir Adolphe survived to stand by Sir Charles' side during the ensuing four years in opposition. Sir Charles made another important change. Mr. T. M. Daly was the Cabinet minister from Manitoba, representing the West, but Sir Charles, seeking to appeal to the imagination of the Liberal-Conservative party, already lamenting the loss of the power and prestige of Sir John Macdonald, conceived the idea that it would stir the Conservative blood if he should admit to his

¹ "He committed a grave mistake when he discarded Sir Adolphe Caron. Whatever might be said against Sir Adolphe Caron (and there were many things) he was a vigorous fighter, and about the sole remaining French leader of any note."—Cartwright, Sir Richard J.: *Reminiscences*, p. 354.

DISSOLUTION OF PARLIAMENT

councils the only son of the man who for many years had kept together a united following. So Mr. Hugh John Macdonald was suddenly elevated to Cabinet rank and was made to tour the country in company with Sir Charles. This may have been a stroke of genius, but it never wore that aspect. Mr. Macdonald had all his father's charm of manner, but little of his father's political ability, and the weakness of his speeches did much to minimize the prestige associated with his name and person.

Parliament was dissolved on April 23rd, the reorganized Cabinet was announced on April 27th, and the date of the election fixed for June 23rd. The interval between the dissolution and the polling was unusually long, and the country was kept in the turmoil of an exciting election contest for nearly two months. It is usually the aim of an administration to bring on the elections as quickly as possible, thus preventing the opposition from fully developing its strength. On this occasion Sir Charles deemed it necessary to visit all parts of the Dominion. He recognized that the five years which had followed Sir John's death had afforded opportunity for considerable demoralization in the Conservative ranks, and he hoped that the inspiration of his presence would restore unity and confidence. No leader ever exhibited greater energy. With the same courage that he had displayed in his battle for Confederation he began

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his election campaign in Winnipeg, where sat the Government which had enacted the school legislation that had set the heather on fire. He journeyed from Cape Breton to British Columbia, appealing everywhere with undaunted front to the achievements of the Liberal-Conservative party. But his main effort was put forth in Ontario, where he had to face intensely inimical audiences embittered by the uncompromising attitude of the Roman Catholic prelates and roused to fighting pitch by the work of Mr. Clarke Wallace and Mr. D'Alton McCarthy. In such places as Kingston and Toronto, he had to battle for a hearing. As Sir John Willison has said of his struggle: "No braver man ever led a party into battle, and no more gallant fight was ever made to save a field than his in 1896."¹ His public addresses were confident and inspiring, and with unflagging zeal he attended to the details of the elections in every constituency. If it were possible for the Government to win, no other leader could have contributed in a larger degree to secure this end. But it was not to be. The tide had turned and no human efforts could stay it. The battle was lost in Quebec. In the few last general elections the Conservatives had been dependent for power largely upon the majorities from that Province, but in 1896 the situation was reversed. The

¹ Willison, Sir John S.: *Sir Wilfrid Laurier and the Liberal Party*, Vol. II. p. 255.

A SWEEPING LIBERAL VICTORY

Liberals carried forty-eight seats to seventeen, and the Government was doomed. Apart from the question of Remedial legislation, eighteen years had done their work. The unseemly quarrels and bickerings between the leading men of the Conservative party had brought their inevitable consequences. The guiding hand of Sir John Macdonald removed, the seeds of dissolution began to bear fruit.

The result in Quebec was in a large measure due to Mr. Laurier's personal influence. His efforts and character constituted the most important factor in giving the Liberals victory, but other influences worked to the same end. Mr. Honoré Mercier was the first to break down the barriers to Liberal success in that province. He had neutralized by tact and genius the immense force which the Church in all its ramifications had been able to exert in favour of the Conservative party. The spell had been broken and the French masses were only too eager to assert their independence. Mr. Mercier had also conciliated an influential portion of the clergy and had been able to count upon powerful clerical support for the Liberal cause. The leadership of a noble and eloquent compatriot was the needed complement to Mr. Mercier's efforts. Under that leadership Quebec was won and with it the prize of political power in Canada for many years.

Sir Charles accepted his defeat with philosophical

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composure, and prepared to resign the seals of office at an early day. This was hastened by an unfortunate disagreement with the Governor-General, Lord Aberdeen. Unquestionably, precedent gave the out-going administration the right to fill existing vacancies in the public service. In the expiring hours of his administration Sir John Macdonald had made Tilley a Lieutenant-Governor and Mr. Hugh Macdonald a Judge. Mr. Mackenzie, after experiencing overwhelming defeat in 1878, filled vacancies on the Bench and other important offices. Sir Charles desired to do the same, but was met with opposition on the part of the Governor-General. There were Senatorships and Judgeships vacant. His Excellency took the ground that although Parliament had not yet met, and had consequently not passed any vote of want of confidence, it was plain that Sir Charles and his Cabinet no longer possessed the confidence of the country, and that under those circumstances he should make no important appointments except those which might be clearly necessary to enable the Queen's Government to be carried on. Sir Charles could not accept these proposals as reasonable or constitutional, and responded in anger. This availed nothing, and only accelerated the termination of his reign. The incident is unfortunate because it really involved nothing of importance. Technically, Sir Charles was in the right; morally, the right was with the Governor-General.

LEADER OF THE OPPOSITION

On the 8th of July Sir Charles and his Government resigned and Mr. Wilfrid Laurier was called upon to form an administration. This he promptly did; and it was a strong one from every point of view. But this did not in the slightest daunt Sir Charles, who was, of course, chosen without question to lead the Opposition. His political record strikingly showed that as a leader of the forces of opposition he was unrivalled. He began public life by leading to victory in less than two years a weak and disorganized party in Nova Scotia. His efforts between 1874 and 1878 in destroying the Mackenzie Government were recognized on every hand; he was more active and conspicuous in those stirring days than Sir John himself, nor did he for a moment doubt that he would achieve equally effective results now. He regarded the Conservative defeat of 1896 as the outcome of party mismanagement, and he had no doubt that the capacity to blunder was as effectively present among the Liberal leaders in 1896 as in 1876. Having regard to the great constructive work which the Conservative party had to their credit in the creation of Confederation, the acquisition of the North-West, and the building of the Canadian Pacific Railway, Sir Charles believed that it would only be necessary to await with patience the mistakes of the existing Government, and then to recall to the people the great deeds of the Liberal-Conservative

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party in order to secure a triumphant return to power.

The drama, however, did not develop along the lines he had mapped out. Sir Wilfrid Laurier exhibited a wonderful capacity of avoiding blunders and a marvellous faculty of appealing to the popular imagination. Sir Charles could scarcely have foreseen that the Government would avoid any revolutionary fiscal legislation, and still less that a wave of phenomenal material prosperity would arrive very soon after the new Government had been formed. He could hardly be expected to anticipate the enormous expansion of trade and the vast increase in the revenues, which produced surpluses as great as the entire revenue of the country in 1867. These large revenues justified liberal expenditures in all parts of the Dominion. Manufacturing industries were flourishing and wealth accumulating. The North-West, which had long been a source of hope, began to realize the fondest dreams, and growth, which had been dishearteningly backward, now became amazingly rapid. The loyalty cry, which had once been an effective political engine in the hands of the Tory party, had been eliminated through the adoption by a Liberal Government of a voluntary British trade preference, and the achievement of an Imperial penny postage on the initiative of the Canadian Postmaster-General, Mr. (afterwards Sir William) Mulock. If anything further in this

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regard was wanting it was found in the impression created in the heart of the Empire by Sir Wilfrid Laurier's personality and his eloquent speeches. These incidents appear larger after a lapse of time than they did when they were happening.

Sir Charles Tupper pursued a relentless criticism of the Government's fiscal policy, minimized the importance of its postal arrangement, and claimed that the astonishing national progress was due to the wise and patriotic policy inaugurated by the Liberal-Conservative party. He devoted his attention to the party interests in every province of the Dominion, and in the by-elections not a seat was allowed to go uncontested. Naturally, he paid the greatest attention to Quebec, which was clearly the weak spot. In Montreal he formed a strong cabal in association with Mr. (afterwards Sir Hugh) Graham of the *Star*, and by frequent meetings, private as well as public, subtle measures were devised to undermine the power and prestige of Sir Wilfrid in his native province. If such means were always effective in winning elections, then, indeed, might Sir Wilfrid tremble. He was devoting infinitely less pains and time to the task of holding his ground in Quebec than were his enemies in undermining his influence. But electoral contests, under a system of popular government, have often enough revealed the fact that the most valiant and subtle political efforts go for naught, if they have not

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popular sentiment behind them. Sir Charles, however, was so satisfied with the trains that he had laid that shortly before the elections of 1900, as he was leaving Ottawa one evening for a special trip to Montreal to perfect his secret plans, he remarked to a friend that "Sir Wilfrid will wake up after the elections are over to find himself the most amazed man in Canada at the result in Quebec." He believed every word of it. But it illustrates how easily the wisest of us may be deceived. At the general elections of 1896, the Conservatives carried fifteen seats in Québec; in 1900 they managed to secure seven. And even this result failed to amaze Sir Wilfrid Laurier!

The fact was that in 1900 fate was against Sir Charles Tupper and his political associates. The stars in their courses were fighting for the Government and the skies shone upon it from every quarter. Sir Charles Tupper put up a magnificent fight. Though in his eightieth year, he rushed from one end of the country to the other, making long speeches every night and attending to the minutiae of the political campaign each day. Good candidates he had, good organizations he had, good literature he had, but good fortune he had not.

While devoting his care to the whole Dominion he stood for Cape Breton with his colleague Mr. McDougall. It was apparently one of the safest seats in Nova Scotia. In 1896 he and his colleague

HIS LAST POLITICAL FIGHT

had been returned by a majority of over eight hundred. It is a singular incident that the leading men in the constituency opposed to Sir Charles were indisposed to accomplish his defeat. The political horizon was brightening for the Liberal party in Nova Scotia and the prospects of success in Cape Breton were very much better than in 1896, yet it was felt that Sir Charles should have a place in Parliament, and hence the idea was conceived of making a proposal to him that Mr. McDougall should retire and a candidate to be named by the Liberal party be returned by acclamation. No one seemed at first disposed to take the responsibility of making such a proposition to Sir Charles, as he was known to be an implacable man and never disposed to yield an inch in political warfare. The matter, however, was submitted to him at Ottawa and he gave it his fair and respectful consideration. He did not disguise that he would be glad to avoid the unpleasant details of a contested election, but he could not ask his colleague to retire. It was explained that a satisfactory place could be found for McDougall in one of the large industrial enterprises in Sydney. He then said it would be an indication of weakness if he permitted any advantage to accrue to himself by the loss of a seat, and he could not give the proposition consideration unless the gentleman selected to be his colleague would agree to announce himself as an Independent. The matter went no farther,

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and as a consequence the Cape Breton seats were actively contested, Messrs. Kendall and Johnstone being the Liberal candidates. Sir Charles was able to devote but a brief period to the campaign in Cape Breton, spending only four days there in all, but neither he nor his friends entertained any serious doubt as to his election. The morning of election day Sir Charles left his constituency to journey to Halifax, where it was most desirable he should be to receive the returns. It is an all-day journey, and when Sir Charles arrived the returns were already coming in and were decidedly unfavourable from all quarters. At last came the tidings that the Liberals had carried both seats in Cape Breton by a majority of over two hundred. Sir Charles had contested thirteen elections, always with success. He was a candidate for the first time in 1855 and elected. Again in 1857, '59, '63, '67, '70, '72, '74, '82, '87, '96, '96 and 1900. Now at the end of a long and brilliant career he had for the first time to face personal defeat. Sir John Macdonald had gone down in 1878 in Kingston; Howe had been twice defeated; Mr. Gladstone had met with reverses in England and so had Disraeli, and therefore, there was nothing unusual in Sir Charles' fate. But it seemed somewhat tragic, coming just when it did and under the special circumstances.

Sir Charles received the results of the election with perfect composure. When he learned that he

CALM UNDER DEFEAT

had suffered personal defeat and that his party was utterly routed he still maintained the best of spirits and gave no sign of either disappointment or vexation. Some bright hopes had vanished, but those who play large parts in the world must expect severe disappointments as well as brilliant triumphs. Sir Charles Tupper had not one grain of funk in his composition. He indulged in no lamentations, no reproaches, no attitude of dejection. He accepted the result instantly and cheerfully, and comprehended in a flash what it meant to him. In a few months he would be eighty years of age. To remain at that advanced period of his life to fight an uphill battle for another five years against a strong government would be preposterous. His determination was instantly formed. He left Halifax for Ottawa the day after the election, and on the way he could not escape the importunities of reporters, who waylaid him at every stage of his journey. Sir Charles was always extremely considerate and obliging in dealing with representatives of the press, but nothing definite came from his lips until he reached Montreal, where he gave out this explicit statement:

“For four years I have worked in season and out of season for the good of the party to the best of my ability. I have shortened my life by privation incident to campaign work. My friends, colleagues in the House, are good enough to say

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very kind things about me and that work. They are too considerate, but I thank them cordially for their expressions of good will. In the quiet of my home life I will not be an indifferent spectator of public events. I would take the greatest pleasure in seeing the Conservative party, now united to a man, taking its place in the House and before the country, waging its battle by younger men full of vigour, hope, and endurance, and having behind them a good cause, securing for the people of Canada wise legislation, righteous laws, and fair play to all creeds and nationalities. As I step out of public life I am proud to be able to say that I never used, or countenanced the using of, any but one policy in each and all the provinces. I defy any man to say that I have ever reflected upon any nationality or done other than help to cement the bond of union between all races as Canadians, with a common heritage and a common future. God forbid that there should be anything but peace and good-will throughout the Dominion. There is a great future for the Conservative party and its future has not at any time in four years looked as bright as to-day."

A hasty gathering of Sir Charles' leading friends had assembled in the central Conservative committee room at Montreal to greet him. He was warmly received, and, in announcing his retirement, added these words:

"Gentlemen, in all seriousness this relief from

RETIRES FROM POLITICS

public life is a boon, the greatest I have enjoyed for years. Remember my age! The party would not listen to the idea of my resigning. I could not insist upon doing so against their united protests, and I made no great effort to hold Cape Breton, for I felt my duty to my party was to be in the fight to help my supporters rather than to concentrate my efforts upon one seat. I was in the county only four days. I have nothing but what is pleasant to say of the electorate in Cape Breton, and at this moment as I leave the arena my heart goes out to all Canada in the hope that peace and prosperity may abound."

Sir Charles retired from the Conservative leadership in January, 1901, in the eightieth year of his age, and never afterwards took an active part in politics. But it was impossible for a man of his temperament to remain unemployed, and for nearly fifteen years longer his faculties remained keen and he took a prominent part in important business enterprises. During those years he spent part of his time with a son in British Columbia, part with another son in Winnipeg, and the remainder in England.

Although Sir Charles' decision to retire from the field was fixed from the moment the election returns were in, yet he took care to discuss the matter fully with the leading men of the party and, after mature consideration, he addressed a formal communication of his resignation of the

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leadership to his followers in the Senate and House of Commons. This document is as follows:

“Montreal, January 17th, 1901.

“To the Members of the Conservative party in the Senate and House of Commons:

“Gentlemen;

“I regret that my absence from Canada during the period assigned for the meeting of Parliament will prevent my bidding farewell personally to my old friends and supporters in the House of Commons and in the Senate. I should be ungrateful indeed if I could retire from the leadership of the party you represent and with which I have been identified for forty-five years, without expressing my appreciation of your devotion to its principles and your loyalty and kindness to me personally.

“It must be a source of pride and gratification to you that the party, although defeated, is thoroughly united, and devoted as one man to the patriotic principles that have always characterized it.

“The four or five years spent in opposition have not been an unmixed evil if they have helped to bring about this result. That the Conservatives are in opposition is a matter of little moment compared with the fact that the principles for which they had contended against vigorous opposition are now established on the firm foundation of the approval of practically the whole people of Canada. It is a significant fact that during the

HIS FAREWELL ADDRESS

very aggressive electoral campaign which has just terminated, while our declarations were criticized and our intentions misrepresented, there was no word of condemnation for the great measures accomplished by the Liberal-Conservative party in the face of the strenuous and sometimes bitter opposition of our political opponents. This, in my judgment, is the crowning vindication of the policy inaugurated and carried out by our great chieftain, Sir John Macdonald, his lieutenants, successors, and supporters.

“The great principles for which they contended as a party are now accepted by Canadians generally, irrespective of party prejudices. Where is the Canadian who would willingly see the great work of Confederation undone? Yet it was completed by the Liberal-Conservative party against the determined opposition of the Liberal party of Canada. The national policy of protection to Canadian industries was carried by the Liberal-Conservative party in the face of an opposition which denounced protection as immoral and ruinous to Canadian interests. All kinds of fiscal nostrums were advocated by our opponents as substitutes for the National Policy, and the opposition was persistently maintained until the opponents of protection attained office. Where is the Canadian statesman who to-day would advocate free trade, unrestricted reciprocity, or commercial union? It may be left to the Canadian

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people to say to which party is due the credit—to the party who made the policy or to the party who only adopted that policy to save itself from defeat.

“The Canadian Pacific Railway policy of the Liberal-Conservative party was denounced as a visionary project, incapable of accomplishment or of being operated when constructed. Where is the Canadian who will venture to say that the construction of Canada’s transcontinental railway was a mistake?

“If there is one policy with which the Liberal-Conservative party has been more constantly identified than another, it is the policy of maintaining British connection. The completion of Confederation, the construction of the Canadian Pacific Railway, and the repudiation of unrestricted reciprocity with the United States were all inspired largely by the determination to maintain at all hazards and all costs Canada’s priceless birthright as a part of the British Empire. Even while the Liberal-Conservative party has been in opposition, it has successfully enforced the duty of Canada to aid Great Britain in maintaining the integrity of the Empire. How greatly the status of Canada has improved during the Liberal-Conservative régime is shown in the recognition by the Imperial Government of Canada’s right to a potent voice in the negotiation of treaties with foreign powers affecting Canadian interests,

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and to be represented in International Conferences.

“There remain two important planks in the platform of the Liberal-Conservative party yet to be made effective—the establishment of a fast line of steamships between Canada and the United Kingdom, and the arrangement of a system of reciprocal preferential trade between the mother country and the Dominion. When our party was defeated, the fast line service was an accomplished fact, and the line would have been in operation in May, 1898, had not the Liberal Government by initiating new negotiations caused an indefinite postponing of the project. If I may be permitted a word of advice to the party on retiring it is to continue the work for inter-Imperial preferential trade, involving as it does the strength and unity of the Empire and the rapid development of all its possessions. This is the most important issue now before the people of Canada and in my opinion it will before long become an issue of vital importance to the people of the United Kingdom. That you will continue, as in the past, to work for the best interests of Canada I entertain no doubt.

“The duty of Her Majesty’s loyal Opposition is to exercise its vast influence in restraining a tendency to pernicious legislation, and to give a loyal support to proposals of the Government which commend themselves as in the interests of the country, while initiating itself such measures

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for the commonweal as are neglected by the administration. In organizing, the party will be stimulated by the record of a glorious past and the great possibilities of the future. The Opposition will bring successful leaders to the front, proving that all are united by a patriotic determination to consider only the best interests of the party and the country.

“My feeling toward the people of Canada is one of profound gratitude for the confidence reposed in my political associates and myself for so many years; and I accept with equal readiness the adverse judgment which places our party still in opposition. It may be that I acquiesce in this judgment the more readily as it releases me personally from duties and responsibilities too onerous for my years.

“I can wish my successor in the leadership no better fortune than that he should enjoy the same support and the same unfailing kindness which has always been extended to me. In the confident hope that the future of the Liberal-Conservative party will be worthy of its past history, and that peace, progress, and prosperity may continue to abound throughout every section of Canada,

“I remain,

“Yours faithfully,

“CHARLES TUPPER.”

This is a model farewell address. There are no complaints, no whimperings, no vain and un-

END OF A LONG PUBLIC CAREER

gracious reproaches, no despondency. It contains a just recognition of the achievements of his party and a tone of buoyant confidence in its future. It was generously referred to by that portion of the press which had been politically hostile and elicited many kind words from all classes. No one could fail to recognize the important services Sir Charles had rendered his country or to admire the patriotism and vigour which had characterized his long public career.

CHAPTER X

PERSONAL CHARACTERISTICS, CLOSING YEARS AND DEATH (1901-1915)

THE final chapter of the life story of Sir Charles Tupper has been reached; but before giving an account of the closing years of this eminent Canadian statesman it is deemed best to pause in the narrative to say something as to his leading personal characteristics. During his whole public life he was intensely in earnest, devoted to politics and giving little attention to literature, save what was necessary for the exposition of practical political problems. It would be far from correct to say that he was devoid of humour; he had a distinct sense of it and could use it at times with telling effect. In social life he was always alive to the humorous side of things, and his thrusts at foibles and inconsistencies, especially those of his opponents, were apt and striking, although often broad. During the nine years he was compelled to confront Howe in the political arena, he was no match in humour and ridicule for that incomparable and versatile personality, but he offset this by a dogged logic and a merciless appeal to fact and argument which were almost as effective with the masses. A few instances of his humour in his encounters with Howe are preserved.

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In 1863 when Howe was still Premier of Nova Scotia and also Imperial Fishery Commissioner, a fierce debate was precipitated on the question of the right of Mr. Howe to retain a seat in the House while holding an Imperial office. In the course of the debate Howe facetiously referred to Tupper as a "midwife"—in allusion to his profession. In reply Tupper said: "I flatter myself that I have obtained some celebrity as a gynæcologist, but I will never be satisfied with my laurels until I have succeeded in *delivering* this Assembly of *Her Majesty's Fishery Commissioner*."

In the campaign of 1863, Tupper, as soon as he had secured his election by acclamation in Cumberland, hastened to Lunenburg county, where Howe was conducting his campaign with fair prospects of election. The two champions met at a great open air meeting at Bridgewater. Tupper spoke first and, as was characteristic of him, drank water very freely in the course of his speech. Howe on rising to reply threw back his coat in the old familiar way and with a beaming face began: "I have just been wondering, sir, what sort of a mill the honourable gentleman is, for I notice he is continually taking in water and letting out wind." When Tupper came to reply, he said, with the greatest earnestness and without the suspicion of a smile: "The honourable gentleman seems to be anxious to know what sort of a mill I am. Well, sir, I *ground* him out of the county of

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Cumberland; then I *ground* him out of the county of Hants, and by the time I have *ground* him out of the county of Lunenburg, perhaps he will begin to realize what sort of a mill I am." And his efforts undoubtedly were largely the cause of Mr. Howe's defeat in Lunenburg.

Tupper's chief means of securing the confidence and enthusiasm of his associates were earnestness, directness, courage, and innate force. In his palmy days his personality was most commanding. He was industrious and indefatigable; whocver else reposed, Tupper never rested upon his oars. His friends had faith in his resources, and confidence in his ability to meet at all times any situation which confronted him. He never allowed himself to be cowed or bluffed; he boldly faced every situation and flinched not though hurricanes raged about him. He was sensitive of his dignity and never permitted undue familiarities. Some men attain popularity by being hail-fellow-well-met with all men; Tupper permitted no one to slap him upon the back. His power and position were obtained by sheer force of character. He had no admiring circle of friends to push him along. His progress was compelled by resistless energy. His presence, especially in his earlier days, was a signal to his enemies to keep out of his way, and woe to the man who had been unjustly traducing him when confronted by his leonine face and lowering countenance.

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As already briefly indicated, it was for many years the general belief that Tupper had used improper influences to induce Mr. Miller to take his unexpected course in 1866.¹ The anti-Confederate press had reiterated the charge so often that it had come to be an article of faith. At last, goaded by repeated imputations upon his honour, Senator Miller began a libel suit against the *Morning Chronicle* for its specific charges. Sir Charles Tupper was called as a witness. It was known beforehand that he would take the stand, and two eminent lawyers who appeared for the *Morning Chronicle* made careful preparations for his cross-examination, and in the party councils of his foes Tupper's speedy demolition was anticipated. Sir Charles took the stand soon after the opening of the trial and in his evidence thus came straight to the point:

"Neither directly nor indirectly, by promise or inducement of any kind, was Mr. Miller approached by myself or any member of the Government or any one authorized thereto and offered any consideration of any kind to take the step he did, which, so far as I know, was taken freely and voluntarily."

This explicit statement really disposed of the case. One of the counsel began his cross-examination, but, after all the brave anticipations, his courage oozed out and instead of Tupper being

¹ See *ante* p. 79.

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torn to pieces by embarrassing questions, the counsel was absolutely meek and suave. Seeing the case hopeless, the owners of the *Morning Chronicle* agreed to retract, and the case ended. While giving his testimony, Sir Charles was receiving telegrams and pencilling answers in the most unconcerned manner. His presence and demeanour did not offer pleasant prospects for a bullying cross-examination. It was much easier to annihilate him behind his back than face to face.

In stature Sir Charles Tupper was rather below medium height. In his younger days he was erect in his carriage and alert in his manner. As he grew older he became stouter, and after seventy a slight stoop in the shoulders was observable, which became accentuated with advancing years. He had a mass of dark hair, and until late in life wore heavy side-whiskers, which were gradually reduced. His face was always serious and at times stern. While in social life he was extremely affable, when engaged in public debate there were no traces of emotion except when an opponent made a slip, and then a smile of satisfaction would relax the immobile face. When compelled to listen to scathing abuse or denunciation, his countenance was absolutely unmoved, nor could the closest observer discover any indications of his feelings; but when his turn came he was prepared to give blow for blow. If confronted when on his feet by hostile demonstrations, his face

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became fierce, his eyes dark and threatening, but never a suggestion of quailing or compromise. He was prepared to stand to his guns though the universe should collapse and bury all in the general crash. His merits as a debater were found in his excellent memory, which could in a flash recall essential facts; his clearness of thought, his volubility of expression, his quickness of repartee and a kind of dynamic force which carried all before it in an impetuous rush. He had great ingenuity in giving a clever turn to a situation, and a suddenly cited fact, which, on its face, was seemingly against him, was often made to weigh in his favour. When pressed, he was not scrupulous or fastidious in his means of extrication, and, in order to achieve his point, he would sometimes make declarations which suited the moment, but were liable to confront him inconveniently afterwards. His usual method was to secure the immediate triumph and to trust to fate and his wits to meet any possible consequences. He was not infrequently amenable to the charge of rash statements on public occasions. It was this tendency that caused Goldwin Smith to say of him: "A man of extraordinary force and a thunderer of the platform, though the staple of his oratory was purely exaggeration, with a large measure of rather vulgar invective." This has an element of truth in it, but is an extreme and unjust statement. Tupper's best efforts are free from "vulgar

AN EFFICIENT ADMINISTRATOR

invective"; he gave loose reins to passionate utterance only when bayed about with many enemies.

No one can question Sir Charles Tupper's executive ability. Methodical, with clear perceptions and excellent judgment, he could deal offhand with a great mass of detail and scan and weigh the relations of large transactions with rare skill and insight. Whatever department of Government he administered, he was always the moving force. While not disregarding the advice of subordinates, he preferred to determine everything upon his own judgment. He was never a figurehead, dependent upon the ideas and impulses of deputies and subordinates, but the guiding hand in all transactions with which he was concerned. On whatever work he was engaged, he always brought efficiency to bear. He was never careless or slipshod. He sought light from all sources, and applied himself to the mastery of every matter with which he had to deal. Others might drift and trust to Providence or chance; Tupper never. Every one who approached him for the discussion of any matter relating to his department, always found him thoroughly informed and prepared to explain and unfold in the clearest and most precise terms everything bearing on the subject. His statement was clear and his reasons cogent.

In his domestic life he was fortunate and happy.

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Lady Tupper was a valuable and devoted help-mate, and her judgment was very often his final authority in many important matters. He was devoted to his children. Two of them died in childhood and are buried in St. John's Cemetery, Three Mile House, Halifax. The eldest, a daughter, married Captain (now General) Cameron and lives in England. His eldest son, James Stewart, who died a few months prior to his father, was long a successful barrister in Winnipeg. His second son, Charles Hibbert, also a barrister, had an extended political career, was knighted for his services in connection with the Behring Sea arbitration, and is now practising his profession in Vancouver. The youngest, William J., practises law in Winnipeg. Sir Charles took great pains in the bringing up and education of these sons, and his bitterest enemy cannot deny the inference which must be drawn from their exceptional devotion to their father. To each of them he has ever been a hero.

From a man as forceful, earnest, and devoted to public duties as Sir Charles Tupper, the sentimental phases of life would not naturally be expected. But the records of the lives of distinguished men from Napoleon down,—men of the greatest ambitions, and striving for the greatest prizes—demonstrate that practical achievements are not incompatible with a highly developed sentimentalism. In the case of Sir Charles Tupper,

HIS ATTITUDE TO RELIGION

this certainly did not take the form of poetic dreaming or ebullition of light fancy. So far as is known, he never wrote a line of poetry or left on record a single product of pure imagination. His early rival, Howe, was a poet, whose writings and speeches are adorned with literary embellishment. Not so with Tupper. When he spoke or wrote, his only object was to state facts in a strong and cogent manner in order to convince the judgment of intelligent men.

Trained a Baptist, Sir Charles Tupper never made any formal profession of religion. As he grew older, he drifted into the Episcopal Church, but even there he cannot be classed as a regular member. He was absolutely free from sectarian prejudice and he had regard and respect for all forms of worship. When visiting friends he usually attended service in the church to which they adhered. He never spoke slightly of any religious faith or any form of worship. He always treated religion as something worthy of respect, indulged in no speculations, and harboured no doubts. His religious views may be summed up in the general statement that he did not profess to understand the profound mysteries of religion or seek to investigate; his mission was to deal with the duties which devolved upon him and to let those whose duty it was to expound religious tenets attend to such matters. He inherited no phase of the zealous missionary spirit of his father,

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and can only be regarded as a neutral in the religious controversies which prevailed about him. But his life was guided in the main by high ethical ideals. He performed his obligations to society and his family with punctilious exactitude, was loyal to his country and his friends, and maintained a correct attitude in his everyday life. While not a total abstainer, he was extremely moderate in the use of wines, and during his long life no one ever saw him in the slightest degree impaired in body or intellect by the influence of alcohol. He was scrupulous in meeting pecuniary obligations and careful to avoid making engagements he could not fulfil.

Dr. Tupper was not in the Government when the Riel insurrection of 1869 occurred, nor was he in any public way concerned in this stirring incident, the most interesting and important in recent Canadian history. But it chanced that Mr. William McDougall, who was selected as the first Lieutenant-Governor of the North-West, started for Fort Garry in the Autumn of 1869 in order that he might become familiar with the conditions in the new territory and be ready to assume the duties of his office as soon as the proclamation vesting the territories of the Hudson Bay Company in the Canadian Government was issued. It is not necessary to refer in detail to the stirring events resulting from Riel's organized opposition to Mr. McDougall's entry into the country. While it

THE RIEL INSURRECTION

created intense excitement there were but two or three lives lost in the whole affair, which lasted more than nine months. But Riel's Government was for a considerable time a reign of terror, and few persons ventured to enter the Red River district while he was in control. Mr. McDougall took quite a large staff with him, among them Captain Cameron, who was to be at the head of his police department, and who had married the only daughter of Dr. Tupper. Captain Cameron had been arrested, and Mrs. Cameron, whose whole baggage had been seized, was compelled to seek shelter in a log hut some distance from any other dwelling and exposed to attack by Indians. Only sparse news could be obtained and Mrs. Tupper became so anxious about her daughter that she urged her husband to visit the scene of conflict and bring her home.

The Tupperes were at that time living in Halifax, and the prospects of such a mission were not inviting. The distance was great; the means of communication beyond St. Paul, Minnesota, poor; it was midwinter, and the danger of entering the Red River Settlement extremely great.

Dr. Tupper left Halifax for Ottawa, December 3rd, 1869, going by steamer *via* New York. There he met Mr. Donald A. Smith (afterwards Lord Strathcona), who was just starting for Fort Garry at the instance of the Canadian Government with a commission to arrange, if possible,

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terms with the rebels. Sir John, learning that Tupper was about to make this journey, requested him, if possible, to get to Fort Garry and obtain all possible light on the situation.

Dr. Tupper, Mr. Smith, and Mr. Richard Hardisty, Mr. Smith's brother-in-law, left Ottawa on their hazardous journey on December 13th, going first to St. Paul, which they reached on the 14th, thence to St. Cloud, the terminus of the railway, where they halted on the 17th, then to Fort Abercrombie, the end of the stage line, which they reached on the evening of the 19th. There they procured a team to convey them to Pembina. They met Mr. McDougall and his party on the 21st, about thirty miles beyond Georgetown, and "learned how serious the aspect of affairs had lately become at Red River." They then pushed on to Pembina, enduring much discomfort in the extreme cold and the necessity of camping at night in the open. After they reached Pembina, a small log-house post on the American side of the line, on the 25th, Mr. Smith continued his journey to the Hudson's Bay post two miles distant on the Canadian side, Dr. Tupper remaining at the American post. While there, he gave medical attention to a Miss Cavalier, who was taken seriously ill. The narrative from this on is so interesting that it can be best given from the published statement of Sir Charles himself.

"I wished to go on to Fort Garry with him

IN THE NORTH-WEST

[Mr. Smith] but he said that would not do, as all Fort Garry knew the active part I had taken in bringing about Confederation, which had caused all their trouble. I told him I had promised Sir John Macdonald to get into Fort Garry and that I intended to do so. Mr. Smith said he would get them to allow me to go in to see Mr. McTavish, who was very ill, and would let me know as soon as possible.

“Sunday, the 26th, hearing nothing, I asked the American Customs House officer if he would take me to Fort Garry. He said if he could get a pass from Colonel Stutsman, a United States official on intimate terms with Riel, he would. Stutsman said that if he had the power he would not dare to do it, as it would compromise the American Government. When Roulette, the Customs officer, declined to go, I told his father, a drunken old fellow, who had married a full-blooded Sioux squaw, that if he would let his son, a boy of seventeen years of age, take me to Fort Garry, I would pay him whatever he would ask. He said he should go. I went to Cavalier’s ostensibly to give directions for the treatment of his daughter during my absence, but really to see Colonel Stutsman, who lived there. He said he was very sorry that he could not do anything to meet my wishes after my kindness. I told him I wished to obtain the things that had been taken from Capt. Cameron, and it was necessary for me to see

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Mr. Riel for that purpose. He advised me to call on Father Richot at St. Norbert's and to say that he had recommended me to do so. Fearing the people at Pembina, who were very hostile to the Canadians, would prevent my going to Fort Garry, I hurried away as quickly as possible, being only able to secure a buffalo skin, a bottle of sherry wine, and a loaf of plain bread. When we reached the Hudson's Bay post, the half-breed boy who was driving said: 'If you get the factor here to lend us a toboggan, we would be much safer as, in case of a snow storm, it will run over the snow, while our sleigh would stick.' I said: 'Drive in, I can get anything he has.'

"I then knocked at the door, which to my astonishment was opened by my fellow-traveller, Mr. Smith. I exclaimed: 'It is not possible that you could be here for two days without seeing me, knowing as you do my great anxiety to get to Fort Garry just now and return.' He replied: 'It is at the cost of one's life to go to Fort Garry just now. Riel has seized the fort and has all the arms, ammunition, and whiskey. A man was shot yesterday and it is simply courting death to go there at present.' I replied: 'But why did you not tell me this when you knew of my impatience to hear from you?' He replied: 'I knew you were a very impetuous man and I was afraid you would do something rash.' I said: 'I called here to ask your factor for the loan of a dog carriage. Can I have it?'

A PERILOUS WINTER JOURNEY

He said: 'Of course you can have anything you wish, but for God's sake do not go there just now.' I said I was much obliged, but did not come for advice, and that I would take the dog carriole. We put the horse in the shafts and left our sleigh. A dog carriole is a large canvas shoe on a toboggan, in which the passenger can lie down. The driver stands on an open part behind him. With the sun about one hour high we started for Scratching River, about twelve miles distant, with no house before we reached it. There was about a foot of snow on the prairie and we drove on a beaten track. The sun went down and shortly afterwards the boy pulled up and said: 'We must go back, there is going to be a frost.' The temperature was then 30 degrees below zero. I said: 'What do you mean?' He replied: 'You will soon see.' Within ten minutes we were enveloped in a frozen fog so dense that I could only make out the horse's head. I said: 'The Red River cannot be more than a mile away from here on our right. We will go there and make a fire.' He said: 'I have no matches and no axe.' I replied: 'We must be more than half way to Scratching River and it is as easy to go forward as back. I will walk ahead of the horse and keep the track.' This I did and whenever my foot went into the soft snow on one side or the other, I went to the centre; but after a time I lost the track and we could not find it.

"I confess I was very much alarmed. We could

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not tell whether we were going east, west, north, or south. We were like a boat on the trackless ocean in a fog without a compass. I thought of walking around the conveyance in a circle until day-break, but the cold was so intense I knew we must perish.

“The upper part of the sky was clear, and suddenly I remembered that when I was eight or nine years old my father took me out one fine night and showed me how to find the north polar star. I soon got hold of the pointers and then the star. I said: ‘We are all right, my boy. Turn the horse’s head this way and haw or gee as I direct.’ I sat in the carriage and kept the horse’s head in line with the star. When we had proceeded in this way for some time the boy said: ‘Here is a man’s track crossing us.’ I decided to follow it, and preceded the horse. In about half a mile I struck the Red River, and, following the track, crossed it and went up the other side, where I saw a light. A French half-breed and his wife, neither of whom could speak English, had gone there three months before to get out wood for making cart wheels. He built a log cabin and stable, where he kept his cow and horse. We explained we were lost, and received a warm welcome. His wife fried some deer and made galute before the fire from English flour. The tea and sugar were from England *via* Hudson Bay, and with cream and fresh butter made a delicious supper. As there were neither

AT ST. NORBERT'S NUNNERY

table nor chairs, she spread a piece of East Indian matting on the floor and served the supper on it. I rolled myself up in the buffalo robe with my feet to the fire and slept soundly.

“The next morning our host put us on the road. We stopped at Clyde’s, Scratching River, where we had dinner. The host and his wife were both half-breeds and some of their children were like Indians, while others had light hair, blue eyes, and fair complexion.

“This reminded me of ‘Walker on Inter-marriage’, whose theory was that the reproduction of animals is by halves.

“We reached Rivière Sale at 6 p.m. where I went, as I supposed, to Father Richot’s house. It proved to be St. Norbert’s Nunnery. Two young ladies, Sister MacGregor and Sister Riel, received me. I told them who I was and that I was on my way to see Mr. Riel and had been advised to consult Father Richot. After consulting with the Lady Superior they said she wished them to inform me that Father Richot would not be at home before morning, and that if I would remain they would make me as comfortable as they could. They gave me a good supper and had the boy and horse taken care of. After further consulting with the Lady Superior they said that she did not know that Father Richot would return to-morrow noon, and that, as my time was valuable, if I would write a letter to Mr. Riel, they would pro-

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vide a messenger and send it. I thanked them and said I would write a letter. I wrote until the messenger was ready without giving them time for any further consultation. I said it was very absurd to send a letter when I could go myself. I folded up my letter, put on my coat, cap, and gloves, bade the sisters good night with many thanks and drove away. My driver, Theophile Biste, was a French-Canadian who could not speak English. He drove me some nine miles on the east side of the Red River until opposite Fort Garry. He struck three loud blows on the gate, sung out the password, when it was opened by a sentry and we drove in. Biste asked me to remain there until he returned, which he did in a short time, when he asked me to follow him. He then took me from one room to another until I had passed through some three hundred armed men with thick overcoats on and their muskets stacked.

“We then reached the Council chamber and I was admitted. Here was Riel sitting at the head of the table with a dozen wild-looking fellows; among them were Father Richot and Mr. LeMay, from Pembina. Mr. Riel rose and came down to where I was, shook hands with me and asked me my business. I said I was Dr. Tupper, an independent member of the House of Commons, and that I had come to take my daughter back home, but as they had taken Capt. Cameron’s horse, wagon, and baggage, I had come to ask him to

AN INTERVIEW WITH RIEL

allow me to take them. He said 'You must have seen Capt. Cameron's servant on the road between here and St. Norbert's, as I sent him with one of my constables to bring the man here who has the horse and wagon.' I said I had never seen Capt. Cameron's servant and would not know him. Riel then said: 'If you will return with the man who brought you here and remain at his house until four o'clock to-morrow I will undertake to say that all the things belonging to your daughter shall be there.' I said: 'You are very kind, but, as I am here, would it not be as well for me to go into the town and see the person who has these things in his possession.' Riel said: 'No, I think I can manage this matter better than you and I only undertake to do so on the conditions stated.' I replied: 'I dare say you are quite right, and I will accept your kind proposal.' We shook hands again and I left the fort and returned to St. Norbert's."

The property of his daughter arrived safely in due time. Dr. Tupper had a long interview with Father Richot, and returned to Pembina on the 30th December. He had fulfilled his engagement to Sir John Macdonald and had obtained considerable light regarding the situation in the North-West; had impressed Father Richot and others with whom he came into contact with the disposition of the Canadian Government to secure all classes of people on the Red River their full

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civil and religious rights; had secured his daughter's effects and was able to accompany her safely home.

This incident of the visit to Fort Garry is given as a striking illustration of the indomitable courage and persistence of Sir Charles Tupper in all the undertakings of life. His work in the North-West was appreciated by Sir John Macdonald, who, in a letter to the Hon. John Rose, wrote: "He [Tupper] was in the country for about two days and did more good than any one else who has hitherto gone there."

Sir Charles and Lady Tupper celebrated their golden wedding at Ottawa, October 6th, 1896, not long after the resignation of his Government. Both Lady Tupper and himself were the recipients of many congratulations and were presented with many souvenirs of the event. Golden weddings are not very common and they rarely occur in the lives of prominent men. The Conservative members of the Senate presented a beautiful solid gold epergne; Conservative members of the House of Commons presented a solid gold salver; and his Conservative friends in Halifax a handsome silver-gilt epergne. Many other valuable tokens of remembrance and regard came from friends in all parts of Canada; but Sir Charles declined, it was said, any tokens of regard from his Excellency the Governor-General on account of feelings engendered by the incidents of the closing days of his administration, and this is to be regretted.

HIS FINANCIAL STANDING

For some time an impression prevailed that Tupper had become a rich man, and he was persistently denounced by the press opposed to him as a man who had achieved a fortune by his public position. There was really no foundation for such statements. It is not necessary to deny that Sir Charles Tupper was fond of money and money-making. He probably always cherished a desire to possess large means, which place a public man in a much more independent position, and relieve his mind of the haunting anxiety which the welfare of wife and family is bound to create in any well ordered mind. He made brave efforts to accomplish this, but with only partial success. His first successful financial stroke was a share in the profits of valuable coal areas discovered in Cumberland county, from which he acquired about \$35,000. It was alleged that he shared in the large profits of Mr. Fleming in the construction of the Pictou Railway, but not a tittle of proof of this has ever been adduced.

He was Minister of Railways during the construction of the Canadian Pacific Railway and also while contracts were entered into with Onderdonk and others for the construction, as a government work, of a portion of the line to the Pacific coast. It is reasonably certain that Onderdonk made handsome profits on his contracts. It is equally true that many persons made fortunes in contracting for the Canadian Pacific Railway Com-

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pany. It was a common belief, industriously propagated by his opponents, that the Minister of Railways received substantial advantages from these large transactions. But again there is an entire absence of proof. His conduct in this regard was never impugned in Parliament, and no one connected with these enterprises has ever hinted that Sir Charles Tupper used his official position for personal gain. He had a right, in common with every citizen, to acquire Canadian Pacific Railway stock or any other stock in the market, and if his faith was rewarded by a rise in value, this cannot be imputed to him as a reproach. The millionaire fiction only lasted a few years and then it became known that the story was untrue. When Sir Charles retired from public life in his eightieth year, he had accumulated by economy and thrift barely enough to enable his wife and himself to enjoy a modest competence. Sir Charles would have ardently desired a larger fortune, but such was not the decree of fate, and he was fortunate that he was not doomed, like many who have devoted their lives to the public service, to pass his declining years in want.

After his retirement, in 1900, Sir Charles lived part of the time in England and part in Canada. He spent a portion of the summer of 1909 in Canada but returned to England in the autumn with the intention of permanently residing there. His physical powers remained seemingly

HIS DECLINING YEARS

undiminished and a voyage across the ocean presented no difficulties to him; but Lady Tupper's health would not endure this, so he took a residence not far from London called "The Mount," at Bexley Heath, Kent, and at eighty-nine was as active as most men are at sixty. He played golf, entertained friends, wrote public letters, and made visits to London. That in retirement he was not forgotten is shown by the fact that in 1908 he was sworn in as a member of the Imperial Privy Council. There are some advantages to a great statesman dying in harness, as did President Lincoln, President Garfield, Sir John Macdonald, Sir John Thompson, and many others. To have once been great and conspicuous and then to live for many years entirely out of the stream of events and have no part in the stirring incidents going forward in the world has some unpleasant features. The zest of life is under all circumstances found in the field of conflict, and interest fails when the arms are laid down. But even the strenuous Gladstone felt it necessary to retire from political leadership at eighty-five, though he was not permitted to have so long a retirement as Sir Charles Tupper. Life is sweet and we cling to it until the last gasp, and Sir Charles was fortunate in spending his declining years in the enjoyment of health, the respect of the world, and the companionship of admiring friends, and able to command all the comforts of life.

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As already stated, Sir Charles devoted some of his remaining days to commercial enterprises, having been appointed President of some corporations, and Director of others. He kept himself fully abreast of all Imperial questions, and not infrequently contributed articles to the press on matters of large interest. When elections were in progress in Canada, his voice was usually heard, and he never disguised his anxious interest in the success of his political friends. From the day Mr. R. L. (afterwards Sir Robert) Borden was appointed to lead the Conservative party he was ever at his side with words of advice and encouragement. He was frankly a partizan, but during the last fifteen years of his public career he indulged less in that aggressive spirit which marked his earlier years. In the later part of his life he tried to discuss public questions in a broad and fair spirit, but he constantly encountered bitterness from his opponents, and his disposition was such that he could not tolerate the aspersion of his motives and character without instant and effective retort. In fight he was fierce and apparently vindictive; but as a matter of fact he was never vindictive. He found it easy to forgive the most violent of his enemies. He was exceedingly true to his friends, but the instances in which he conferred favours upon men who had exhausted every effort to encompass his downfall are too numerous to be detailed. He was upon the whole a chivalrous

IMPERIAL DEFENCE

foe, fighting always in the open, and ready to form an alliance with an opponent without manifesting the slightest sense of the past or any hint of resentment.

His most active interference in the public affairs of Canada, after his retirement from political life, was in 1909, when the Naval Bill was before Parliament. During the session of 1909 a resolution had been adopted by the Canadian House of Commons by unanimous vote, recognizing the obligation of Canada to assume a share of the burdens of the naval defence of the Empire. In the discussion of this question, Mr. Borden, the leader of the Opposition, had distinctly avowed that the only true policy for Canada was the construction of a navy of her own, manned and maintained by the people of Canada. Sir Charles Tupper was actively in sympathy with this policy. Always loyal to British connection, Sir Charles was nevertheless a firm believer in Canadian autonomy. He had greatly offended the more ardent and visionary of the Imperial Federationists by resisting proposals which he thought not only impracticable but inconsistent with the independent action of the self-governing Dominions. With unswerving devotion to the Empire, he conceived that Imperial Union could only be secured in the long run by maintaining the autonomous independent action of each self-governing colony. The solution of Imperial unity is usually

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regarded from the standpoint of to-day. Wise and far-seeing men look to the future. The growth of Canada is now rapid and the prospects point to continued expansion. In fifty years Canada will not be a comparatively weak community of seven or eight millions of people, but will probably have thirty or forty millions. In less than fifty years more, even these great figures will be doubled. The annual revenue will be many hundreds of millions and Canada will have a recognized status among the nations of the world. Its people will feel the pulsations of national pride without which any great race would be sure to degenerate. A demand for national recognition will come naturally and inevitably. Sir Charles Tupper had a sufficiently wide outlook to discern all this, and to apprehend, as unfortunately few seem able to apprehend, that the only ultimate basis upon which Imperial unity can be hoped for is a sympathetic alliance of great independent states.

It was, indeed, gratifying to him in his later days to see both political parties united in the project of establishing a Canadian navy, and imbued with a sense of national autonomy. No one ever had occasion to doubt the attitude of Sir Wilfrid Laurier on the subject of Canadian autonomy; in England and in Canada he had always clearly and frankly avowed his views on this question; if similar views prevailed in the Conservative party, the future of Canada was assured.

THE DREADNOUGHT QUESTION

Sir Charles was strengthened in his approval of Mr. Borden's attitude by the latter's very sensible and manly utterances on public occasions in London in the summer of 1909, in which he pointed out to the British people how much more consistent with true national obligations would be the initiative of Canada in providing for her own defence than mere spasmodic contributions to Imperial naval construction, which would mean no personal devotion of the brawn and manhood of the country to large Imperial objects.

But toward autumn, under what inspiration it is not easy to discover, or influenced by what considerations it is impossible to determine, there arose a demand from a portion of the Conservative press for an immediate cash contribution for the building of dreadnoughts, the reason urged being emergent danger of immediate attack by Germany. When the Canadian Parliament assembled in November, 1909, there were clear indications that this demand had assumed such formidable proportions as to force Mr. Borden either to reverse his repeated declarations of policy or to come into acute conflict with a large body of his supporters. At this crucial moment Sir Charles felt it his duty to speak out and give the weight of his authority—once so great—to uphold Mr. Borden in adhering to what he conceived to be the truly patriotic and sound Imperial policy. In consequence, he addressed a letter to

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Mr. Borden couched in the following clear terms:

“The Mount, Bexley Heath, Nov. 20, '09.

“My dear Mr. Borden,—

“I have read with much interest the communication of the Canadian Correspondent of *The Times* on naval defence in to-day's issue of that paper. I regard that question as more important than any mere party issue, and am glad to learn that you are resolved to maintain the patriotic attitude the Conservative party assumed last session. A few years ago, when Canada was struggling to open up for British settlement the great granary of the world, a few gentlemen here raised the question of a contribution to the Imperial Navy. I joined issue with them, and was sustained by the press and public opinion. It was admitted that Canada was not only no burden to the Mother Country but that without her harbours and coal mines on the Atlantic and the Pacific coasts England would require a larger navy. Contrast the progress of Canada, Australia, and New Zealand under Imperial management and since it was relinquished, and it will be seen to whom their present importance is due.

“In an evil hour for the British Empire, Cobdenism was allowed to sweep away the protective policy which had made England mistress of the manufactures of the world and to place all her colonies in the position of foreigners.

CANADA BEFORE CONFEDERATION

“Read the result in *The Times* of October 3rd, 1849:

“The reversal of the ancient policy of Great Britain, whereby she withdrew from the colonies their wonted protection in her markets, has produced the most disastrous effects upon Canada. In surveying the actual condition of the country what but ruin or rapid decay meets the eye? Our provincial government and civic corporations embarrassed, our banking and other securities greatly depreciated, our mercantile and agricultural interests alike unprosperous . . . with superabundant water-power and cheap labour, especially in Lower Canada, we have yet no domestic manufactures; nor can the most sanguine, unless under altered circumstances, anticipate the home growth or advent from foreign parts, of either capital or enterprise to embark in this great source of national wealth. Our institutions, unhappily, have not that impress of permanence which can alone impart security and inspire confidence, and the Canadian market is too limited to tempt the foreign capitalists. While the adjoining States are covered with a network of thriving railways, Canada possesses but three lines, which together scarcely exceed fifty miles in length, and the stock in two of which is held at a depreciation of from 50 to 80 per cent.—fatal symptom of the terror over-spreading the land.’

“The Confederation of Canada, which has

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resulted in such gigantic progress, was the work of Canadians, and was regarded by many English statesmen as a prelude to getting rid of responsibility.

“Regarding as I do British institutions as giving greater security to life, property, and liberty than any other form of government, I have devoted more than half a century to unceasing efforts to preserve the connection of Canada and the Crown. When Great Britain was involved in the struggle in the Transvaal I led the van in forcing the Canadian government to send aid. But I did not believe then, and I do not believe now, in taxation without representation. The demand which will soon be made by some that Canada should contribute to the Imperial Navy in proportion to population I regard as preposterous and dangerous.

“I read with pleasure the resolution passed unanimously by the House of Commons which pledged Parliament to proceed vigorously with the construction of the Canadian navy and to support England in every emergency; and all that is required, in my opinion, is to hold the Government of the day bound to carry that out honestly. Navies are maintained largely to promote the security of the mercantile shipping of the country to which they belong. If you turn to Whitaker’s Almanack for 1909, on page 461 you will find the following statement:

NAVAL EXPENDITURE

““The naval expenditure of the British Empire on sea-going force in 1906-7 was £31,870,000, of which the United Kingdom contributed £31,-438,600. The aggregate gross tonnage of the mercantile marine protected thereby was 16,381,-850 (United Kingdom) and 1,229,246 (India and Colonies), total 17,611,096 gross tons, which carries the annual value of nearly £1,500,000,000 (including bullion and specie). The naval expenditure is therefore 2.13 per cent., if regarded as a premium for insurance. Other nations spend as follows (in millions of pounds)—United States, 25.1 to protect 4,241,590 tons of mercantile shipping; Japan, 5.2 for 1,000,000 tons; Russia, 12.4 for 913,133 tons; Germany, 11.4 for 3,810,353 tons; and France, 12.8 for 1,741,195 tons.’

“When I remember that in the general election of 1891 the friends of British institutions, after a desperate struggle which cost that great and patriotic statesman, Sir John A. Macdonald, his life, only secured a majority of about twenty-five, I have no hesitation in saying that had the principle of a contribution to the Imperial Navy according to our population then been in operation that majority of twenty-five would have been in favour of Continental free trade, and the adoption of the tariff of the United States against Great Britain. Who can question the accuracy of that opinion who remembers that in 1896 my Government was fiercely denounced in

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Quebec by the Liberal candidates and Liberal newspapers on account of its militia expenditures when they declared that an expenditure of \$3,000,000 to buy rifles for the militia was a danger to the country, and that the military programme of the government was 'frightful'?

"I do not forget that all parties in the United States agree in the desire to obtain possession of Canada. Under existing circumstances it was of immense importance to have Sir Wilfrid Laurier and his party committed to the policy which secured the unanimous consent of the House of Commons on a question of such vital importance, and a great responsibility will rest upon those who distort that compact.

"I cannot understand the demand for dreadnoughts in the face of the fact that the Admiralty and British Government determined that it was not the best mode of maintaining the security of the Empire and arranged with Canada and Australia (the latter of whom had offered one or two dreadnoughts) for the construction of local navies to keep open the trade routes in case of war.

"All difficulty as to the question of autonomy is now removed, as it is fully recognized that the great outlying portions of the Empire are sister nations, and means have been adopted to secure uniformity in the naval forces of the Empire in the design and construction of ships, and the training

THE DREADNOUGHT QUESTION

of the officers and men. They are also to be interchangeable and thus secure uniformity in every respect so as to act as effective units with the British Navy.

“Of course the Government of the day will be held accountable for carrying out the policy thus agreed upon in a thoroughly effective manner, but I cannot avoid thinking that a fearful responsibility will rest upon those who disturb or destroy the compact entered into on this vitally important question.

“Yours faithfully,

“CHARLES TUPPER.

“R. L. Borden, Esq., K.C., M.P.”

The right of difference of opinion on all such large questions must be freely conceded, but it is also permissible to say that no act in Sir Charles' long and varied career illustrates in a larger degree his wisdom and loyalty, and that events have demonstrated beyond cavil the breadth and soundness of his position. His advice was ignored both by Mr. Borden and the majority of his supporters, and the proposals of the Government for the construction of a Canadian Navy were met by an amendment offered by Mr. Borden proposing a direct money contribution to Great Britain for the construction of two dreadnoughts, and the whole force of the Opposition outside of Quebec thrown in support of this proposition. Of course this policy was rejected by the House and Sir Wilfrid's

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adopted. No doubt is sought to be cast upon the sincerity and good faith of Mr. Borden and his associates in this action, and it may be assumed that their action was dictated by the best motives. As to the political aspects of the matter the writer is absolutely unconcerned in any way. It is quite possible that Mr. Borden may have interpreted the present or immediate sentiment of the country better than his opponents, but there is an abstract right and wrong in the premises. There must be a final judgment of the Canadian people on the issue, and it only remains to await with patience the verdict of history. There are at all events reasonable chances that Sir Charles Tupper's manly stand will be abundantly vindicated. His attitude was at least disinterested.

Few men in the earlier stages of the history of Canada took a larger part in moulding the policy and developing the great enterprises of the Dominion. Tupper was compelled for a long period to play second fiddle to Sir John Macdonald, and all familiar with the actual conditions of political life understand the enormous prestige which is attached to the mere fact of leadership. The Premier is the man most in the public eye, and all the merits and demerits of an administration are, in the public mind, attributed to him. It is nevertheless a fact that men who have served in a Cabinet under able leaders have often contributed as largely as the Premier himself to fashioning and

A CONSTRUCTIVE STATESMAN

even determining the policy of an administration. It is not possible to judge with nicety between Sir John Macdonald and Sir Charles Tupper in determining the respective credit due them for the early measures of supreme importance which were inaugurated by the administration of which they were members. It is not necessary to do so. As Premier, Sir John's renown is secure; it is only to repeat what public opinion has almost universally confirmed that Sir Charles Tupper was a scarcely less potent factor in the great events of his time. As Goldwin Smith has said, "he served as the shield-bearer" to Sir John, and "was very useful to his chief, whose apparently lost cause he did much to redeem after the catastrophe of the Pacific Railway Scandal." He was naturally bolder and more aggressive than Sir John, and history will award the highest honour to Tupper in the matter of securing the construction of the Canadian Pacific Railway. It was his strong faith, sanguine temperament, and indomitable will which in 1880 compelled the solution of this pressing national problem. As a leader of men he lacked the consummate tact and finesse of Sir John; but he surpassed him in plain-dealing and downright earnestness of purpose. Sir John Macdonald held a steadier rein, but Sir Charles had the greater courage and staying power. Both had a large vision which was of vital consequence to Canada, for, whatever their faults and shortcomings, they

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were associated with the great initial steps which laid the foundations of Canada's greatness. If narrow, timid men had controlled affairs in the critical period of the first North-West Rebellion the great North-West might never have been acquired, the boundaries of the Dominion of Canada would not have embraced half a continent, and its people would not have been able at this moment to look forward to a national status unsurpassed among the communities of the world.

By his strong aggressive character, Sir Charles evoked bitter enmity which men of a more negative type happily escape. But, now that the conflict is over, all will concede without question his claim to a place in the national pantheon as one of the able and eminent men who struggled with ardour and success to make their country great.

Thus, residing at "The Mount", Bexley Heath, Sir Charles Tupper prepared to spend the remainder of his days. But in the spring of 1912 his wife died. He had been married to her for fifty years in 1896, and sixteen years had elapsed since then. She, like her husband, endured until the very latest period in life. He decided that she should be buried in St. John's cemetery, Halifax, and, although he was at this time ninety-one years of age, he crossed the Atlantic with her body, and, in the early summer, her remains were laid to rest with due honours. Sir Charles then went to

LAST VISIT TO CANADA

Vancouver and stayed for a time with his son, Sir Charles Hibbert, and, returning, stopped for a time at Winnipeg with Stewart. Then he returned home, and spent the rest of his days at Bexley Heath. His daughter, Mrs. Cameron, resided there, and the eldest daughter of Stewart Tupper, who was a great favourite with Sir Charles, lived with him.

As it was known that he was going to England for the last time in his life, as he was then approaching his ninety-second year, it was deemed fitting and desirable that he receive some marks of appreciation from the people in his native province. It was generally supposed that he would pass through Halifax, but it so happened that his steamer would not touch at Halifax, but would sail direct from St. John to England. It therefore became necessary to have the demonstration take place at Amherst, on the line of railway running to St. John. In addition to being his birthplace, Amherst was the shire town in the county of Cumberland which Sir Charles had represented in Parliament for between thirty and forty years, and therefore a most fitting place for such a purpose.

The meeting in Amherst took place on the 28th of April, 1913, and was most impressive. A large representation was sent up from Halifax, and on the morning of the 28th a vast assemblage of people from all parts of the county and pro-

SIR CHARLES TUPPER

vince filled the streets. In the afternoon a meeting in his honour was held in the Winter Fair Building, at which Sir Charles, despite his years, delivered an address to the vast audience, in the energetic and forceful manner which always characterized his remarks.

On the following evening an address before the Canadian Club was to be given on D'Arcy McGee by Judge Wallace of Halifax. It had no connection with the meeting or the demonstration, the night was stormy and the idea of Sir Charles Tupper going out to attend this never occurred to anybody, but he insisted upon going and listened with interest to the lecture, and took occasion at the end of it to make some remarks, recalling how he and D'Arcy McGee at the forming of the first Confederation Government had sacrificed themselves and stayed out of the Government for the sake of harmony in its formation.

He sailed from St. John that week, and from that time to the day of his death he made no public appearances; but those from Nova Scotia who visited England in the meantime and called to pay their respects to him, found him as clear in intellect and as sound in memory as he ever was in his life. He had the misfortune to be attacked by pneumonia at this advanced age and everybody supposed that this would be his last illness, but he struggled through it, and came out a winner in the end.

HIS DEATH AND BURIAL

On July 2nd, 1915, he entered upon his ninety-fifth year. Four or five weeks before his death he had a slight illness, from which he recovered, and at last, when he finally expired, it was purely from old age. On October 29th he went to bed as usual and in the morning he was dead, without a tremor or a struggle.

According to his request, arrangements were made to bring his body from England to be interred in St. John's Cemetery, Halifax, beside his wife. When it became known that this course was to be followed a determination to have a public state funeral took possession of the public mind, and the Government of the Dominion, although occupied very gravely with questions of war, appropriated the sum necessary to pay fitting honour to the dead statesman. The body came out in a steamer landing at Quebec, and from there was brought to Halifax. It arrived on the morning of Monday, the 15th of November, and was laid in state in the Legislative Council Chamber. On Tuesday the body was removed to St. Paul's Church, and at two o'clock the funeral took place. An impressive oration was delivered by his Grace, Archbishop Worrell of Halifax, and Cabinet Ministers, members of the Senate, Judges of the Supreme Court, members of the House of Commons, members of the Provincial Government and House of Assembly, and representatives of every walk in life joined in paying tribute to the memory of Nova

SIR CHARLES TUPPER

Scotia's "Grand Old Man". He had been for more than fifteen years out of public life, and, in the rush of events, it might be expected that he would be forgotten, but there was never the slightest possibility of oblivion overtaking Sir Charles Tupper. Anything that happened to him during the many years he was out of public life was quickly chronicled, and the contemplation of the many important matters with which his name is associated will prevent him from ever being forgotten. He first came into prominence as the author of the Free School system of Nova Scotia, and he had been identified for so many years with everything of first importance in the Dominion, that this public memorial seemed as fitting and necessary as if he had at that moment passed from the position of Prime Minister of the country.

James Stewart Tupper, the eldest son of Sir Charles, died, as we have seen, some months before his father, and the baronetcy was inherited by Mr. Charles Stewart Tupper, his eldest surviving son.

The old man has departed, the last man on the list of the Fathers of Confederation, one of the greatest and strongest men of his time, whose labours for forty-five or fifty years were unsurpassed by any man in Canada, who had a personality which will not be forgotten.

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LEMUEL ALLAN WILMOT



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From a photograph

THE MAKERS OF CANADA SERIES

Anniversary Edition

LEMUEL ALLAN WILMOT

BY

JAMES HANNAY

*Illustrated under the direction of A. G. Doughty, C.M.G., Litt.D.
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INTRODUCTION

AN Empire was lost by the American Revolution but the old Colonial System remained intact. From the catastrophe a few might draw the lesson of renunciation, but for more the moral of the story was the virtue of resignation. The apple must fall but there was no need to hasten its descent.

The old Colonial System disappeared in the nineteenth century but the Empire did not disappear with it. Instead the new system of responsible government gradually transformed the Empire into the commonwealth of free states that we know to-day. The rebellion of 1837 was followed by Lord Durham's report, and during the next ten years the new system was gradually put into practice.

In Canada and in Nova Scotia we rightly speak of "the winning of responsible government." Robert Baldwin in his letter to Lord Glenelg in 1836, Joseph Howe in his four letters to Lord John Russell in 1839, showed how clearly they understood the new principle. Under Sydenham, Bagot, Metcalfe, and Elgin, in Canada; under Campbell, Falkland, and Harvey, in Nova Scotia, the battle was fought—and responsible government won.

Was there a similar struggle in New Brunswick?

INTRODUCTION

There is much, though not the whole truth in the statement that while Canada and Nova Scotia achieved responsible government New Brunswick had responsible government thrust upon her. While politically more backward than her sister provinces she was one of the British North American colonies and the Colonial Office believed in treating all alike.

In 1836 the New Brunswick Assembly was ready to grant a generous civil list in return for the control over the revenues of the province. There would have been no hesitation at the Colonial Office if such an offer had come from Lower Canada. In that province the Assembly had gained control of virtually the whole revenue but stubbornly refused the grant of a civil list. The New Brunswick request was finally granted partly because Lord Glenelg hoped much from such a good example. Lord Gosford however reaped no profit from the New Brunswick settlement.

During the next few years all agitation ceased in the province. Sir John Harvey could report that there was absolute quiet, at a time when the Canadas were disturbed by rebellion and threats of rebellion. The people of New Brunswick were not unmindful of what was taking place in Canada and Nova Scotia; there were advocates of responsible government among them, but the principle never became the real badge of a party or decided an election. The reduction of salaries of permanent

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officials and the disposal of the revenue were subjects of much more general interest.

In 1844 the New Brunswick Assembly came to the support of the Governor-General in his struggle with the Canadian Assembly, but a year later the same house definitely refused to put itself on record as favouring even such an extension of responsible government as Lord Metcalfe was willing to grant. By a vote of 18 to 15 the Assembly refused to support the four resolutions which had passed the Canadian house in 1841.

In 1848 the Lieutenant-Governor communicated to the New Brunswick Assembly the despatch that Lord Grey had sent to Sir John Harvey in Nova Scotia during the previous year. It enunciated most distinctly the principles of responsible government and was duly accepted by the New Brunswick Assembly. Responsible government had been won for New Brunswick but not by New Brunswick.

Lemuel Allan Wilmot was the protagonist of the new system but he did not show the same knowledge or devotion as Robert Baldwin or Joseph Howe. Baldwin refused to be a colleague of men who were opposed to responsible government as early as 1841. Howe did enter such a government in 1840 but he refused to repeat the experiment in 1846. Wilmot accepted office and became the colleague of men who were opposed to his principles in 1843 and again in 1848.

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His lack of real devotion to the principle he championed is seen still more clearly on the occasion of his final withdrawal from politics. Six members of an executive council of nine signed a memorandum opposing the appointment of a judge to succeed a member of the bench who had retired. Of the three members who failed to sign only two were in favour of an appointment as the third member was absent. Wilmot almost immediately changed his mind but even so a substantial majority of the council remained opposed. Without further consultation with the council Lieutenant-Governor Head appointed Wilmot to the vacant judgeship and Wilmot accepted the appointment. Such an action on the part of any member of the council would have stood badly in need of a defence; in the case of the man who had posed as the leading champion of responsible government the action was indefensible. If Lord Metcalfe had appointed Robert Baldwin to a judgeship when a majority of the council considered no appointment should be made we should have a Canadian analogy to the New Brunswick situation.

Sir Edmund Head's action did not pass without a protest. Five members of the council, some of them former opponents of responsible government, protested against Wilmot's appointment in the name of responsible government. Charles Fisher was one of the two members of the council who had always believed that an appointment should

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be made, but he had been a devoted follower of Wilmot when the latter had advocated responsible government. He now felt that he had no alternative "consistent with my ideas of responsible government" except to resign his seat in the Executive Council.

The text of Hannay's life of Wilmot has been left as originally written excepting for several necessary minor changes, but it is hoped that the notes at the end of the volume will throw light not only on the text but on this preface. A few extracts from the despatches of Sir Edmund Head are included. They show the practical difficulties of administering the government according to the principles of the new system even when the governor was actuated by the best of intentions.

Hannay's life of Sir Leonard Tilley appears to me to be adequate, and has been left unchanged.

GEORGE E. WILSON.

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CHAPTER I

ANCESTRY AND EARLY LIFE

THE contest for responsible government which was carried on in all the provinces of British North America for so many years resembled in some of its features a modern battle, where the field of operations is so wide that it is impossible for a general to cover it with his eye or to keep control of all the movements of his subordinates. In such a case, everything depends on the ability of the generals who command the different army corps, who, operating in remote parts of the field, must take the responsibility of success or failure. The two Canadas were so far removed from New Brunswick, and the means of communication were so poor, that there was but little help, even in the way of suggestion, to be expected from them, while the contest for responsible government was being carried on. Even the efforts in the same direction which were being made in the province of Nova Scotia had but little influence on the course of events in New Brunswick, for each province had its own particular grievances and its own separate interests. Thus it happened that the battle for responsible government in New Brunswick was fought, to a large extent, without reference to

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what was being done in the other provinces which now form the Dominion of Canada, and the leaders of the movement had to be guided by the peculiar local circumstances of the situation. Still, there is no doubt that the efforts of all the provinces, directed to the same ends, were mutually helpful and made the victory more easily won.

Among the men who took a part in the contest for responsible government in New Brunswick, Lemuel Allan Wilmot undoubtedly held the foremost place, not only by reason of the ability with which he advocated the cause, but from the trust which the people had in him, which made him a natural leader and the proper exponent of their views. There were, indeed, men working in the same field before his time, but it was his happy fortune to witness the fruit of his labours to give the province a better form of government, and to bring its constitution into line with the system which prevailed in the mother country. He not only viewed the land of promise from afar, but he entered into it, and he became the first native lieutenant-governor of the province,—a result which even he, sanguine as he was, could hardly have contemplated when he began his career as a public man.

Lemuel Allan Wilmot was born in the county of Sunbury, on the banks of the St. John River, on January 31st, 1809. He was the son of William

THE WILMOT FAMILY

Wilmot, a respectable merchant and lumberman, who was in partnership with William Peters, grandfather of Sir Leonard Tilley. William Wilmot was the son of Lemuel Wilmot, a Loyalist, who was a resident of Poughkeepsie, New York, at the beginning of the Revolution. He (Lemuel) raised a company of soldiers for the service of the king, and became a captain in the Loyal American Regiment which was commanded by Beverley Robinson, serving in that corps during the war. At the peace, he came to New Brunswick and settled in Sunbury County on the river St. John. The Wilmots were a respectable English family, and the first of the name in America was Benjamin Wilmot, who was born in England in 1589 and came to America with his wife Ann, probably prior to 1640. He was one of the early settlers of New Haven, Connecticut, and the records of that colony show that he took the oaths of fidelity at a court held on May 2d, 1648. He died in 1669. His son William, who was born in 1632, was probably also a native of England. He married Sarah Thomas in 1658, and died in 1689.

Thomas Wilmot, his son, was born in 1679. He married Mary Lines, and their son Ezekiel was born in 1708. Ezekiel Wilmot and his wife Beulah were the parents of Lemuel, who was born in 1743. Lemuel Wilmot married Elizabeth Street, and William, the father of the subject of this biography, was their son. William Wilmot married Hannah

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Bliss, a daughter of the Hon. Daniel Bliss, a Massachusetts Loyalist, who became a member of the council of New Brunswick and was the father of John Murray Bliss, one of the judges of the supreme court of that province. His grandfather was Colonel John Murray, a Massachusetts Loyalist, who was for many years a member of the general court of that colony and who became a mandamus councillor. It will thus be seen that Lemuel Wilmot came from the best New England stock, and that his connections were highly respectable and even distinguished. He was proud of his New England descent, and claimed the usual ancestor from among the passengers of the *Mayflower* who landed at Plymouth in 1620. If this claim is correct, his descent from the Pilgrim Fathers must have been through the female line, and no record of it has been preserved. The matter is not of much consequence at the present day, for the Wilmots have made a record in their province far more distinguished than that which they won in New England, for they have given to New Brunswick five members of the legislature, a senator and member of the House of Commons of Canada, two members of the executive of New Brunswick, and one of the privy council of Canada, an attorney-general and a provincial secretary of New Brunswick and two lieutenant-governors.

The system of government which existed in all the British North American colonies at the time

LIEUTENANT - GOVERNOR CARLETON

when L. A. Wilmot was born was practically the same. New Brunswick had been separated from Nova Scotia in 1784, and, in the autumn of that year, its first governor was sent out in the person of Thomas Carleton, a brother of Sir Guy Carleton. Thomas Carleton had been an officer in one of the regiments which fought during the War of the Revolution, but he was in no way distinguished, and had no special qualifications for the position he was called upon to fill. That fact, however, did not concern the persons in England who appointed him. In those days, fitness or ability had very little to do with colonial appointments. Carleton continued to fill the office of governor and lieutenant-governor until his death in 1817; but for the last fourteen years of his term he resided in England, and the duties of his office were performed by a succession of administrators under the name of presidents. To assist him in his deliberations, Carleton had a council of twelve members, who were appointed by the Crown and were therefore wholly under the influence of the governor and the authorities in England. In 1809, its number had been reduced to ten, and it was composed of the four judges of the supreme court, the provincial secretary and the surveyor-general, who held their offices for life, and four other persons. This council, in addition to its executive functions, also sat as the upper branch of the legislature, and, besides being wholly irresponsible except to the governor, it sat with closed doors,

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so that the public had no opportunity of knowing what was being done. It was not until the year 1833 that any portion of the journals of the legislative council was published.

The House of Assembly consisted of members chosen by the freeholders of the several counties and the freeholders and freemen of the city of St. John. This House was able to exert but a limited influence on the government of the country, for all authority was vested in the lieutenant-governor and he was able to act in a manner quite independent of the legislature. All the appointments to office were in his hands, and they were made in many cases even without the knowledge of his council. In England, even under the most despotic kings, parliament was always able to curb the power of the Crown by refusing to grant supplies; but this check did not exist in New Brunswick, or in the other colonies of British North America at that time, because the governor had sources of revenue quite independent of the legislature. The British government maintained a customs establishment in the colonies, which levied duties on all merchandise imported, and over which the legislature had no control. The British government also retained the revenues arising from the Crown lands of the province, and these revenues the governor expended as he pleased. The House of Assembly, therefore, might refuse to vote supplies; but the governor could go on without them, and the only effect of such a procedure was

THE CHURCH OF ENGLAND .

to injure its own officials, and to deprive the people of the money which was expended on roads and bridges.

Another feature of the system of government in New Brunswick was the predominant influence it gave to the members of the Church of England. Every member of the council of the province belonged to that denomination, and it was not until the year 1817 that any person who was not an adherent of the Church of England was appointed to the council. This exception was William Pagan, a member of the Church of Scotland, and his was a solitary instance because up to the year 1833, when the old council was abolished, all its other members were adherents of the Church of England. The same rule prevailed with respect to all the great offices in the gift of the Crown. All the judges of the supreme court for the first sixty-seven years of the existence of the province were members of the Church of England. L. A. Wilmot, who became attorney-general in 1848, was the first person not a member of the Church of England who filled that office, and he was the first judge not a member of that Church who sat on the bench of New Brunswick.

For some time after the foundation of the province, the salaries of the Church of England clergymen were paid by the British government, and large grants of land were made for the purpose of supporting the churches. In addition to this, financial

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assistance was given to them in erecting their places of worship. No dissenting minister was allowed to perform the marriage ceremony, that privilege being confined to clergymen of the Church of England, the Church of Scotland, the Quakers and the Church of Rome. This was felt to be a very serious grievance, and, needless to say, produced a great deal of inconvenience.

Another grievance was the fact that the great offices were held by members of certain favoured families. These families, from their social position and in some cases from their wealth, had the ear of the governor, or of the authorities in England, and were able to obtain and hold all the valuable places. The two Odells, father and son, held the office of provincial secretary for sixty years. The Chipmans were another favoured family, both the father and son being successively judges of the supreme court, and the former receiving large sums from the British government as one of the commissioners who settled the boundary between Maine and New Brunswick. One of the greatest offices in the province—that of the surveyor-general—was held by one person for thirty-three years, and this individual was in no sense responsible to any authority in New Brunswick except the governor. Those in power at that day were very fond of expatiating on the glories of the British constitution and the privileges the people enjoyed under it. But nothing less like the British constitution can be imagined than

THE OFFICIAL CLASSES

the system which then prevailed in the British North American colonies.

One feature which is not to be lost sight of in considering the political condition of the province at that time is the social element. The distinctions between the upper classes and others was then far more marked than it is at present. The officials and the professional men formed a class by themselves, and looked with contempt upon those who were engaged in business. The salaries of the government officials were then three or four times as large as they are at present, and they kept up a corresponding degree of state which others were not in a position to imitate. This assumption of superiority was carried out in all the relations of life, and the sons of those who occupied an inferior station were made to feel their position keenly. This was the case with Lemuel Allan Wilmot, for, although his family was as good as any in the provinces, he was the son of a man who was engaged in business and who was not only a Dissenter but was actually a preacher in the denomination to which he belonged. No doubt the insults which the son received from those who claimed to occupy a higher station had a good deal to do with his zeal for the cause of Reform, and influenced his future career to a considerable extent.

William Wilmot, although he afterwards failed in business, was in prosperous circumstances when his son Lemuel was born. He was a Baptist and

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was one of the original members of the Baptist Church at Canning, in Queens County, which was founded in 1800. On Christmas Day, 1813, William Wilmot and nine others received their dismissal from the Canning Church for the purpose of founding a Baptist Church in Fredericton. Wilmot was a local preacher and used his gift of eloquence in that way. He also aspired to legislative distinction, and was elected a member of the House of Assembly for the county of Sunbury in 1816. He was an unsuccessful candidate for the same seat in 1819, and again in 1820. At the general election of 1827 he ran for the county of York, to which he had removed several years before, but was again defeated. This was his last attempt to become a member of the House of Assembly. His loss of three elections out of four had certainly been discouraging, and was in singular contrast to the fortune of his distinguished son, who never experienced a defeat.

Lemuel Wilmot's mother died when he was only eighteen months old, so that he never knew a mother's love or a mother's care. But his father early recognized his youthful promise, and gave him all the educational advantages then available. He became a pupil at the College of New Brunswick, which was situated in Fredericton, of which the Rev. Dr. Somerville was the president and sole professor. This college was in fact merely a grammar school, but Wilmot acquired there some

AS A LAW STUDENT

knowledge of the classics. However, his scholastic career was not prolonged, for in June, 1825, he entered as a student-at-law with Charles S. Putnam, a leading barrister of Fredericton. He was admitted an attorney of the supreme court in July, 1830, and a barrister two years later. He was then twenty-three years of age.

The men who were contemporaries of Mr. Wilmot as a youth are all dead, and not many anecdotes of his career as a student have been handed down to us. Being of an ardent and ambitious disposition, he took a keen interest in the stirring events that were being enacted around him; for it was a time of great political excitement, and the business troubles of the province increased the difficulties of its inhabitants. In 1825, all the lumbermen in the province were ruined, and the bad management of the Crown lands office which had added to the business difficulties became more than a political question, for by cramping its leading industry it affected the prosperity of every man in New Brunswick. It was then that young Wilmot resolved to enter upon a political career and to do what he could to redress the wrongs from which the people were suffering. Strange to say, at this time he, who afterwards became most eloquent, had an impediment in his speech, which it took much labour to overcome. To improve his knowledge of French, he spent some months with a French family in Madawaska, among the de-

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scendants of the ancient Acadians. In this way he acquired a colloquial knowledge of that language.

Wilmot's ambition was to become a public man and to assist in the reformation of the constitution of his native province. He enjoyed many advantages for the rôle he had undertaken. He was tall, his height being upwards of six feet, well proportioned, handsome and striking in his features, and he possessed a voice of great strength and sweetness. He was proficient in all athletic exercises, and took an interest in all those movements which commend themselves to young men of enterprise and force of character. He was a lieutenant in the first battalion of the York County Militia when he was only eighteen years of age, and his devotion to the militia force continued until the end of his life. Possessed as he was of all the elements which make men popular and prominent, he was early marked for advancement in the field that he had chosen for the exercise of his talents.

CHAPTER II.

EARLY EFFORTS FOR REFORM

THE agitation for an improvement in the constitution of New Brunswick began long before L. A. Wilmot was born. The first man who took a prominent stand for reform in the legislature was Mr. James Glenie, a member for the county of Sunbury from 1792 to 1809. Mr. Glenie, who was a Scotchman and a man of much ability, had been an officer in the Royal Engineers during the Revolutionary War. His efforts to obtain reforms were met by the friends of the governor, Mr. Carleton, with the most violent opposition. He was denounced as an incendiary, and indeed there was hardly a limit to the fierceness with which he was attacked for attempting to bring about an improvement in the system of government. The old Family Compact and their friends were ever ready to tell the public how loyal they were, and to denounce as a traitor any person who presumed to object to the existing state of things. Mr. Glenie was not able to effect anything substantial for the improvement of the constitution, because the time was not ripe for the changes he proposed. England itself was suffering at that time from a relapse from true constitutional methods, so it was not to be ex-

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pected that much attention would be paid to complaints which came from a remote province of North America.

The cause of Reform would not have been nearly so well supported as it was, had it not been for the fact that the abuses which existed touched the self-interest of many persons who were by no means Reformers at heart, and who in fact cared nothing about responsible government. The first successful attack which was made on the existing order of things was with regard to the fees charged on land grants. These fees went to the various officials, including the governor, and it was shown that on a lot of land not exceeding three hundred acres, the enormous sum of forty-seven dollars was charged as fees, while on a lot of one thousand acres to ten grantees, the fees amounted to about two hundred dollars. The reader will be able to understand from these figures how it was that the officials of the government were able to live in such princely style. This evil was remedied by permission being obtained from the colonial secretary to include a large number of grantees in one grant.

Another grievance which was attacked long before Mr. Wilmot entered public life was the law which related to the performance of the marriage ceremony. At that time the only clerical persons authorized to solemnize marriages were the clergymen of the Church of England, ministers of the Kirk of Scotland, Quakers, and priests of the

THE MARRIAGE QUESTION

Roman Catholic Church. This was felt to be an intolerable grievance, because it prevented Methodists, Baptists and all Presbyterians except those connected with the Church of Scotland from being married by their own ministers. In 1821 a bill was passed in the House of Assembly authorizing all ministers of the Gospel to solemnize marriages. This was rejected by the council, a fate which befell many subsequent bills of the same kind. For several years the House of Assembly continued to pass the Dissenters' Marriage Bill, and the council as steadily rejected it. Finally, in 1831, the House of Assembly concluded that nothing would serve to bring about the reform asked for but a petition to the king, and accordingly a petition was prepared in which the facts were set forth and His Majesty was asked to give instructions to the administrator of the government to recommend the legislature to pass a bill extending the privilege of solemnizing marriages to all regularly ordained clergymen of dissenting congregations in New Brunswick. In 1832, a bill was passed by both Houses carrying out these views. It contained a suspending clause, however, which prevented it from going into operation until approved by His Majesty. It was thought that this would settle the question, but in 1834 a despatch was received from His Majesty's secretary of state for the colonies in which it was announced that the royal assent had been withheld on the ground that the Act was

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confined in its operation to four denominations of Christians,—the Wesleyan Methodists, the Baptists, the Presbyterian seceders from the Church of Scotland, and the Independents. It appeared, therefore, that the Act had been disallowed because it was not liberal enough, but this defect was speedily remedied by the passage of another bill during the session of 1834 in the terms suggested by the colonial secretary, and the Dissenters' Marriage Question was thus settled.

It has already been stated that the British government continued to maintain a custom-house establishment in New Brunswick, and to impose duties on goods imported into the province. These duties, which were levied for the regulation of trade, were disposed of by the British government and by the lieutenant-governor of the province with little reference to the wishes of the legislature. The old restrictive system which placed shackles on trade was modified by two Acts passed by the imperial parliament in 1822, under which the importation of provisions, lumber, cattle, tobacco and other articles from any foreign country in North and South America and the West Indies, into ports of British North America and the British West Indies, was allowed under a fixed scale of duty, and a free export was allowed to goods going from all our ports to these countries. The importation of the productions of foreign countries in Europe into the ports of British North America was also

IMPERIAL CUSTOM DUTIES

permitted, and a schedule of duties annexed. Under these Acts it was provided that the duties on both imports and exports were to be collected by the imperial officers of customs, and the net revenue thus obtained was to be placed at the disposal of the colonial treasuries. This arrangement was a decided gain to New Brunswick, because, for the first time, it placed nearly all the revenue collected by the imperial officers under the control of the legislature.

The Acts of the imperial parliament, 6th George IV., Chapters 73 and 114, went still farther in the way of removing restrictions from colonial trade. These Acts provided that the duties imposed under them should be paid by the collector of customs into the hands of the treasurer or receiver-general of the colony, to be applied to such uses as were directed by the local legislature of such colony, exception being made in regard to the produce of duties payable to His Majesty, under any Act passed prior to the eighteenth year of his late Majesty, George III. This exception is important for the purpose of illustrating the pernicious system under which duties had been collected. Even so late as the year 1833, Messrs. Simonds and Chandler, the New Brunswick delegates to the imperial government, were complaining that duties were collected at the several custom-houses in New Brunswick upon wine, molasses, coffee and pimento under the provisions of the Acts of parliament, 6th George II,

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Chapter 13; 4th George III, Chapter 15, and 6th George III, Chapter 52, amounting to upwards of one thousand pounds sterling annually, which duties were not accounted for to the legislature, and that it was not known to the House of Assembly by whom and to what purpose these duties were applied. The reply to this on the part of the imperial government was, that in pursuance of the directions contained in the statutes themselves, the duties levied under them were remitted to the exchequer in England in aid of the expenses incurred for the defence of the British colonies in North America. Thus ten years after the British government had undertaken to remit the duties collected in the colonies to the exchequers of the colonies in which the money was collected, there still remained a considerable revenue, obtained under old and obscure Acts of parliament, which was held back, and the destination of which was not known, until disclosed to the delegates sent to England to obtain the redress of New Brunswick's grievances.

But the grievance which caused the greatest amount of dissatisfaction in New Brunswick was that which arose from the management of the Crown lands. It was bad enough that the revenues arising from the public domain should be disposed of without the consent of the legislature; but it was still worse when such regulations were made by the surveyor-general as hindered the settlement of the country and interfered with one of its leading in-

AN ADDRESS TO THE KING

dustries. One great abuse was that large areas of the best land in the province were locked up as reserves for the production of masts for His Majesty's navy. Another grievance was the imposition of a duty of a shilling a ton on all pine timber cut in the province. This was done by the authority of the surveyor-general, and its effect was seriously to injure many of those who were engaged in lumbering. This tax was remitted for a time after the panic of the year 1825, but it was revived when that crisis in the commercial life of the province had passed. The management of the Crown lands office had been the subject of criticism at almost every session of the legislature for twelve or fifteen years before Lemuel Wilmot entered public life, and every year the complaints grew louder.

At the session of 1831, an address was presented to the president, the Hon. William Black, asking him to lay before the House a detailed account showing the amount of the casual and territorial revenue from the beginning of 1824 to the end of 1830, and the expenditures from that fund for the same period. This was refused on the ground that it was inconsistent with his instructions. The House then resolved to bring the matter to the notice of the king in an address, the spirit of which may be gathered from the following paragraphs:—

“By the operation of the system practised in this office, very large sums are taken from the people of this province for licenses to cut timber on Crown

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land, and, although the assembly do not question the right Your Majesty undoubtedly has to the lands in question, they think the tremendous powers with which the commissioner is vested, with regard to impositions of tonnage money and the enormous exactions for fees, to be incompatible with a free government, and to require redress.

“It is generally understood, as well as universally believed, that the commissioner in question is under no control in this province, and to this may be ascribed the mode in which licenses to cut timber are issued in very many cases, in quantities less than one hundred tons, subject to a duty of one shilling, three pence per ton, and the excessive fee on each of forty-five shillings. By this mode, a large part of the receipts is paid in the shape of fees, at once injuring the subject without benefiting the revenue; and the assembly feel convinced, if the office were under colonial management, that while the oppressions would be removed, the revenue would be more productive; and besides, the assembly cannot but view with just alarm that the day may possibly come when, by a single mandate from the office, exactions of such magnitude may be made as literally to stop the export trade of the country, a power which no person should have even the shadow of authority to exercise.

“The assembly at an early day in the present session, by an address to the administrator of the government, sought for documents regarding this

THE CIVIL LIST

office, to enable them officially to bring the subject more in detail under the consideration of Your Majesty, but this information, so highly desirable and necessary, has been withheld from them; and the assembly, therefore, with great submission, lay before Your Majesty herewith, a copy of the said address, with the reply thereto, for Your Majesty's gracious consideration.

“It will by that be seen that the objects contemplated by the assembly are no less than relieving Your Majesty's government permanently from the burthen of the whole civil list of the province, a subject which the assembly humbly conceive to be of great advantage to the parent state, and only requiring that the revenues, from whatever source or sources derived in or collected within the province, should be placed under the control of its legislature.”

A portion of the Crown-land revenue went to pay what was termed the civil list, which included the salaries of the lieutenant-governor, the judges, the attorney-general, solicitor-general, private secretary, provincial secretary, auditor, receiver-general and commissioner of Crown lands. The latter official received seventeen hundred and fifty pounds sterling per annum besides enormous fees, so that his income was greater than that of the lieutenant-governor. Thomas Baillie, an Irishman, who had been a subaltern in a marching regiment, had filled that office since the year 1824, and continued to

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hold it until 1851, twenty-seven years in all, when he retired with a pension twice as large as the salary of the present surveyor-general of New Brunswick.

What the Reformers in the legislature of New Brunswick sought to obtain was the control of the public lands, and the disposal of the revenues derived from them. To accomplish this they were willing to undertake to pay the salaries embraced in the civil list, although these salaries were looked upon by the people of the province generally as altogether too large. Yet there were great difficulties in the way of this necessary reform, for King William IV was known to be violently opposed to it. At a later period, 1835, in the course of a conversation with the Earl of Gosford, who had been appointed governor of Lower Canada, "I will never consent," he said with an oath, "to alienate the Crown lands, nor to make the council elective. Mind me, my Lord, the cabinet is not my cabinet. They had better take care, or by —— I will have them impeached."

Such was the language which this king used in regard to his constitutional advisers. It was fortunate for New Brunswick and the other colonies of British North America that at that time he had done his utmost to get rid of his ministers and had been defeated and humiliated, so that they could set him at defiance. But in 1832 they were more disposed to defer to his wishes, and in May of that

CONTROL OF THE REVENUE

year we find Lord Goderich, the colonial secretary, writing to Sir Archibald Campbell, the lieutenant-governor of New Brunswick, in the following strain:—

“The preservation to the Crown of the territorial revenue is an object of the first importance, and it would only be resigned on its being clearly proved that the right of the Crown could not be maintained without producing still greater inconvenience. You cannot, therefore, more usefully exert your influence than in endeavouring to prevent the assembly from urging the surrender of this revenue.”

The question of the control of the Crown-land or casual and territorial revenues was made the subject of an address to the king by the House of Assembly in 1832. In this it was stated that the expense of collecting these revenues was far greater than it would be under proper management, and it was proposed that they be placed under the control of the legislature, which would undertake the payment of all the necessary expenses of the civil government of the province by making such permanent and other grants as might be necessary for this purpose. The reply to this proposition was received during the legislative session of 1833. In it Lord Goderich, with some appearance of sarcasm, observed that “His Majesty did not consider it necessary at present to call upon the House for a grant of the nature proposed, as he did not antici-

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pate such a falling off in the revenue at his disposal as the House appeared to have apprehended." This reply can hardly be regarded otherwise than as an insult to the House of Assembly, for the meaning of their address to the king was deliberately misrepresented. They were contending for a principle, that the revenue derived from the public domain should be under the control of the legislature, and the amount of the revenue did not enter into the question.

In 1833 the House of Assembly appointed a committee on grievances for the purpose of taking into consideration and investigating all matters in connection with the Crown lands, which were the subject of complaint. After this committee had reported to the House, it was resolved to send a deputation to England to endeavour to make some arrangement with the colonial secretary in reference to the Crown lands.

The deputies appointed to proceed to England and lay the grievances of the province at the foot of the throne were Charles Simonds and Edward B. Chandler, both men of wealth, influence and position, and well qualified for the performance of the work with which they were entrusted. Messrs. Chandler and Simonds arrived in England in June, 1833, and immediately placed themselves in communication with the Right Honourable E. G. Stanley, who was then colonial secretary. Their report was laid before the legislature in February,

MR. STANLEY'S DESPATCH

1834, and the result was highly satisfactory to the House of Assembly. A few days later a despatch from Mr. Stanley to Sir Archibald Campbell was laid before the House, in which he stated the terms on which he should feel that His Majesty might properly be advised to place the proceeds of the casual and territorial revenue under the control of the assembly of New Brunswick. He would, he said, be prepared to advise His Majesty to accept a permanent appropriation by the legislature, duly secured to the amount of fourteen thousand pounds per annum, and that the Crown should undertake to charge on any such permanent grant the salaries of the lieutenant-governor, his private secretary, the commissioner of Crown lands, provincial secretary, chief-justice, three puisne judges, the attorney-general, auditor, receiver-general, the expenses of the indoor establishment of the Crown lands department, and a grant of one thousand pounds to the college. It would be necessary, Mr. Stanley stated, that any bill passed in consequence of the proposal contained in this despatch should contain a suspending clause in order that it might be submitted to His Majesty before it was finally assented to. It was also stated, in order to prevent misunderstanding or delay, that the House should be apprised, that, unless some other fully equivalent and sufficient security could be devised, it would be expected that the Act should provide that the stipulated annual commutation should be payable

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out of the first receipts in each year, and that in case of any default in such payment the whole of the revenue surrendered should revert to the Crown. A committee was appointed to prepare the bill on the subject of the surrender by His Majesty of the casual and territorial revenues of the province. The House of Assembly had previously passed a resolution that the sum of fourteen thousand pounds required by His Majesty's government as a permanent grant for the surrender of the casual and territorial revenues of the province was greater than the charges contemplated to be thereon required, yet that the great desire of the House of Assembly to have this important subject finally settled should induce them to accept the proposal contained in Mr. Stanley's despatch. On the day after this resolution was passed, the lieutenant-governor communicated to the House of Assembly an extract from a despatch received the previous day by him from the Right Honourable Mr. Stanley, dated January 4th, 1834. This extract was as follows:—

“In your message communicating to the assembly the proposal contained in my despatch of the 30th September, you will take care distinctly to explain that the payments expected from the New Brunswick Land Company are not included in the revenue which is offered to the acceptance of the assembly.” It is with great regret that an historian of this period must record the receipt of such a

NEGOTIATIONS FAIL

despatch from an imperial head of department to a colonial governor, for the spirit displayed in the message was not that of an enlightened statesman, but such as might have been expected from one who was endeavouring to drive the hardest possible bargain with the province of New Brunswick, in order that a number of officials, swollen with pride and enjoying enormous salaries, might not suffer.

A few days after the receipt of this despatch, a resolution was passed by the House in committee, regretting that the additional condition contained in Mr. Stanley's last despatch would prevent the committee recommending to the House further action in the matter of preparing a civil list bill. Thus ended the attempt to settle this vexed question in the year 1834. The House of Assembly, however, still continued to agitate the matter, and to make Sir Archibald Campbell's life a burden to him. On March 7th, they addressed him, asking for accounts in detail of the casual and territorial revenues, and calling for a number of statements which they had not received except in such a shape that they could not be properly understood. They also addressed His Excellency, requesting him to lay before them copies of all official despatches transmitted to him by the secretary of state for the colonies, since he assumed the administration of the government, relating to the subject of the casual and territorial revenues. The reply of His

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Excellency to the request for more detailed accounts was a courteous one; but while he consented to furnish the accounts requested in detail, it was with the understanding that his compliance was not to be considered as a precedent. He declined, however, to give the names of the parties who had their timber seized or forfeited, or the names of the petitioners for Crown land. He also refused to furnish the accounts of the receiver-general and commissioner of Crown lands, on the ground that they were accounts exclusively between these officers and the Crown.

With regard to the request for his correspondence with the colonial secretary, Sir Archibald Campbell in another message gave a tart refusal, stating that such a request was subversive of the principles and spirit of the British constitution, and that he would ill deserve the confidence put in him by His Majesty were he to hesitate in meeting so dangerous an encroachment, not only on the independence of the executive, but the prerogatives of the British Crown, with a most decided and unqualified refusal. This military officer considered himself a proper exponent of the principles and spirit of the British constitution. He failed to understand that the British constitution rests upon the support of the people, while his system of government was intended to ignore the people altogether.

A few days after the receipt of this message, a

QUARREL WITH THE GOVERNOR

resolution was passed by the House of Assembly declaring that the language used by the lieutenant-governor, in his reply to the address of the House, was at variance with all parliamentary precedent and usage, and such as was not called for by the address. Some of the governor's friends attempted to weaken the force of this resolution by an amendment of a milder nature, but their amendment was defeated, and the resolution carried by a vote of fifteen to eight. Another address on the subject of the casual and territorial revenues and civil list was prepared and passed by the assembly for the purpose of being forwarded to His Majesty. It recited the proceedings, in regard to the matter, which had taken place already, and the desire of the House of Assembly to accept the proposition contained in Mr. Stanley's despatch, and expressed the regret of the House at the new condition imposed with regard to the New Brunswick Land Company, which made it impossible to accept the settlement as amended. The House concluded by expressing the hope that the terms proposed in the original despatch might yet be considered definitive, and that the proviso with regard to the New Brunswick Land Company might be withdrawn. This was transmitted to England; but, before the year ended, Sir Archibald Campbell concluded to rid himself of the House of Assembly, which had given him so much annoyance, and accordingly it was dissolved early in November; so that when the legislature

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met again in January, 1835, the House was a new one, although largely composed of the old members.

CHAPTER III

WILMOT IN THE LEGISLATURE

WILMOT acquired a good legal practice soon after his admission to the bar, and was recognized as a highly successful advocate in cases before a jury. In the opinion of the legal profession he never was a deeply read lawyer, either as a barrister or as a judge, but in the conduct of a case at *nisi prius* he could hardly have been surpassed. He had the gift which has been possessed by all great advocates, of seizing on the leading feature of a case, and, regardless of all minor issues, pressing it home on the minds of the jury. His eloquent and impressive speeches on behalf of his clients soon began to attract general attention, and the courthouse was thronged when it was known that he was about to address a jury. He was speedily marked as the proper person to represent the views of the people in the House of Assembly, and, on a vacancy occurring in the representation of the county of York in consequence of the death of one of the members in the summer of 1834, Wilmot was elected without opposition, none of the government party having the courage to oppose him. Before the time came round for the meeting of the legislature, the House was dissolved by Sir Archibald

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Campbell, in the hope that he might be able to get an assembly more amenable to his wishes, and, at the general election which followed, Wilmot was again elected, at the head of the poll. At that time he had barely completed his twenty-fifth year. It was a great triumph for Wilmot and the friends of Reform, for all the influence of the friends of the governor and the Family Compact was arrayed against him.

Mr. Wilmot took his seat as a member of the House of Assembly on January 25th, 1835. Young as he was, he had already made a great reputation as a public speaker, and there was no man in the legislature or in the province who could stand any comparison with him in point of eloquence. Indeed, it is doubtful whether the British North American provinces have ever produced a man who was Wilmot's superior in that style of oratory which is so telling on the hustings or where great masses of men are to be moved. Men who have heard both declare him to have been the superior even of Joseph Howe. His tall, sinewy form, eagle eye, and outflung arm added to the effect. At the Portland Railway Convention of 1850, where the ablest men of the Northern States were gathered, he easily eclipsed them all. The reporters are said to have thrown down their pencils in despair, being unable to keep pace with him as he aroused the enthusiasm of all who heard him by his burning words. Unfortunately,

ENTERS THE LEGISLATURE

there is no form of ability which is so transient in its effects as this perfervid style of oratory. So much of its potency depends on the action of the speaker, on the glance of his eye and the modulation of his voice, that no report could do justice to it, even if there had been reporters at that time capable of putting down every word he uttered. The speeches of even Gladstone, when reported word for word, read but indifferently when seen in cold type, and no speech of Wilmot's was ever properly reported. He was incapable of writing out a speech after he had delivered it, so that we must take the united testimony of his contemporaries, whether friends or enemies, that he was, upon his own ground, an unequalled speaker.

The House in which he now found himself was not one that was remarkable for its eloquence. Unlike most of the legislatures of the present day, the proportion of lawyers was very small, there being only five in a House of thirty members, and of these five the only one who was an orator was Wilmot. The other twenty-five members were mostly business men and farmers, some of whom could express their views on public questions clearly enough, but had no pretensions to eloquence. Yet it was a good House, and one of its best features was that its members were able to appreciate the worth of the new representative from the county of York.

The aim of Wilmot, when he entered the legisla-

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ture, was to bring the province into line with the principles of responsible government as understood in the mother country. Yet, looking at the state of New Brunswick then, it is easy to see that the task he had undertaken was one of enormous difficulty. Most of the evils of which the people had been complaining still existed. The casual and territorial revenue was still under the control of the home authorities, the custom-house establishment still remained unreformed, the Family Compact still controlled all the great public offices, and none but members of the Church of England were thought worthy to serve their country in a public capacity.

Two years earlier the executive and legislative councils had been separated; but the change had made little or no improvement in the system of government. The executive council consisted of five members, all of whom held public offices from which they could not be removed by any act of the legislature. The first on the list was Baillie, the surveyor-general, whose record has already been referred to; next came F. P. Robinson, the auditor of the king's casual revenue; another was William F. Odell, whose father had been provincial secretary for twenty-eight years, and who himself filled the same office for thirty-two years. George F. Street, the solicitor-general, was another member of the executive, and the last on the list was John Simcoe Saunders, who was advocate-general and held three or four commissionerships

BECOMES A LEADER

besides. All these men were so solidly entrenched in their positions that it seemed impossible they should ever be disturbed. They formed a solid phalanx opposed to all reform, and they were supported by the governor, Sir Archibald Campbell, most of whose life had been spent in India and who, however well fitted to govern Hindoos, was hardly the man to give laws to white men who claimed to be free.

As soon as Wilmot entered the House of Assembly, he began to take a leading part in its debates. The very day he took his seat he was appointed on the committee to prepare an address in reply to the speech from the throne. On the following day he gave notice of a resolution with regard to the boundary between Maine and New Brunswick, a subject that was then coming to the front. A day or two later he brought in a bill to continue the Act to provide for the expenses of judges on circuits. Indeed, no man was more active during that first session than the new member for the county of York.

There were two questions that came up for discussion in which, as a Reformer, he was specially interested,—the salaries of the customs establishment, and the casual and territorial revenue. With regard to the latter, when the House had been sitting about a month, the reply of the colonial secretary to the address of the previous session was laid before it. That address, it will be remembered,

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related to the offer which had been made to the British government to take over the Crown lands and provide for a civil list of fourteen thousand pounds sterling, the payments expected from the New Brunswick Land Company to be included in this arrangement. The reply of the colonial secretary was as follows:—

“From various parts of the address I infer that the proposal conveyed to the assembly, through my predecessors, must have been misapprehended in more than one important particular; and I have especially remarked the erroneous assumption that, in offering to surrender the proceeds of the Crown lands, it was intended also to give up their management, and to place them under the control of the legislature.

“From the course of their proceedings, as well as the tenor of the present expression of their sentiments, the assembly must be understood to consider it an indispensable condition that the payments of the Land Company should be comprised among the objects to be surrendered to them. This is a condition to which His Majesty’s government cannot agree. His Majesty’s government would also be unable to recognize the interpretation which was placed on their former offer, so far as regards the control over the lands belonging to the Crown in New Brunswick. Under these circumstances, I can only desire you to convey to the assembly His Majesty’s regrets that the objects of

RENEWED AGITATION

their address cannot be complied with, and, advert-
ing to the wide difference between the views enter-
tained by the government and those manifested by
the assembly on this subject, it seems to me that
no advantage could be anticipated from making
any further proposals at present respecting the
cession of the territorial revenue."

This despatch, which brought a sudden close to
the negotiations with regard to the casual and ter-
ritorial revenues of the province, did not emanate
from the government with which the House of
Assembly had been previously negotiating, but
from a new administration which had just been
formed under the premiership of Sir Robert Peel,
and which lasted just one hundred and forty-five
days. The creation of this administration was due
to the action of King William IV, in dismissing
his advisers on the death of Earl Spencer, which
removed Lord Althorp from the House of Com-
mons. The king had grown to detest his cabinet
for their reforming spirit, but his designs were
thwarted by the failure of Sir Robert Peel to form
an administration capable of facing the House of
Commons. As a consequence, Viscount Melbourne
again became premier, and a renewal of the nego-
tiations with the government in regard to the
casual and territorial revenues was rendered pos-
sible.

The House of Assembly was still determined to
keep the question of the casual and territorial reve-

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nue to the front, and at a later period in the session another address on this subject was prepared by the House of Assembly, to be laid before His Majesty. In this address the grievances with regard to the management of the Crown lands of New Brunswick were recited, and the willingness of the legislature to provide for the civil establishment of the province was stated. The address urged the benefits that would result to the people of New Brunswick from placing the net proceeds of the Crown-land revenues under the control of the legislature. Attached to this address was a schedule of salaries proposed to be paid out of the casual and territorial revenues, amounting in all to £10,500 currency. The address was transmitted to the governor to be forwarded to His Majesty. No specific answer was ever made to this proposal, a fact which was probably due to the confusion, incident to the change of government, which took place about the time the address reached Downing Street.

Another matter which engaged the attention of the House during this session, and in which Wilmot took an active interest, was the settlement of the salaries of the custom-house officials. Although the surplus revenue from this source went into the provincial treasury, the amount thus received was much less than it ought to have been, in consequence of the large salaries which were paid to the officials. In the year 1830 the amount of custom-house duties collected in the province

CUSTOM-HOUSE SALARIES

was £16,616, 18s. 11d. sterling, from which was deducted for salaries £7,073, 6s., or nearly one-half of the whole amount. The House of Assembly objected to the payment of such large salaries, and in 1831 proposed to the British government to make a permanent annual grant of £4,250 sterling for the payment of customs officials in New Brunswick. This proposal was accepted, and in the following year a bill was passed in accordance with this arrangement. But it was protested against by the customs authorities in England and disallowed because the salaries of the officers of customs were not made the first charge on the revenue. During the session of 1835, an amended bill embracing this provision was passed, and the question was settled for the time. Mr. Wilmot was not satisfied with this arrangement, because it was a violation of the principle that the House of Assembly should have control of the provincial revenue, and he therefore voted against it. Nevertheless, the measure apart from this violation of a fundamental principle, was a gain to the province, as it placed a considerable sum additional in the public treasury.

CHAPTER IV

WILMOT AS A DELEGATE TO THE COLONIAL OFFICE

MR. WILMOT took a very active part in the proceedings of the legislature during the session of 1836, and was the moving spirit in the committee of the whole to inquire into the state of the province during that session. The result was the passing by large majorities of a series of twenty-six resolutions condemning the management of the Crown lands office, the composition of the executive council and also of the legislative council, and declaring that the control of the casual and territorial revenues should be placed in the hands of the legislature. These resolutions were made the basis of an address to His Majesty, which was to be carried to England by a deputation of two members of the House of Assembly. This address relates at length the principal facts of the management of the Crown lands and the reasons of the House of Assembly for dissatisfaction therewith. Mr. Wilmot, in recognition of the active part he had taken in this business, was appointed a member of the delegation, the other member being William Crane of Westmorland, a gentleman of experience, wealth and standing in the province.

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This appointment was the highest compliment that could possibly have been paid to Wilmot's capacity, for the negotiation then to be conducted with the colonial office was one which vitally affected the interests of the province.

The colonial secretary at that time was Lord Glenelg, a statesman whose character has been drawn by Sir Henry Taylor, who was then a clerk in the colonial office. "Amiable and excellent as he was," says Taylor, "a more incompetent man could not have been found to fill an office requiring activity and ready judgment. A dart flung at him by Lord Brougham in 1838 points to his notorious defect as a minister called upon to deal with a crisis. The then crisis was that of the Canadian Rebellion." "It is indeed," said Lord Brougham, "a most alarming and frightful state of things, and I am sure must have given my noble friend many a sleepless day." It was probably because of Lord Glenelg's habit of procrastination that the delegates had to remain in London for four months before they were able to bring their business to a conclusion. They arrived there about the middle of June, and it was well on in October before they were able to leave.¹ The result of their work was that an arrangement was made satisfactory both to the British government and to the delegates representing the House of Assembly, by which the casual and territorial revenues were to

¹ See Appendix A.

CIVIL GOVERNMENT BILL

be transferred to the province, in consideration of the legislature undertaking to provide for a civil list of £14,500 currency annually, for the payment of certain salaries chargeable to that fund. A draft of a Civil List Bill was prepared and agreed to by the lords of the treasury, and the understanding was that this bill should be passed by the legislature, and receive the assent of the lieutenant-governor, when it would immediately become operative.

The first clause of this bill transferred the proceeds of the territorial and casual revenues, and of all woods, mines and royalties which had been collected and were then in hand, or which should thereafter be collected, to the provincial treasurer, who was authorized to receive them for the use of the province, while the Act remained in force. The second clause charged the revenues with the payment of £14,500 for a civil list. The third clause enacted that all the surplus over and above the sum of £14,500 currency, should remain in the treasury of the province until appropriated or disposed of by an Act or Acts of the general assembly. The fourth clause gave the lieutenant-governor, with the advice of his executive council, power to expend such sums as they might deem necessary for the prudent management, protection and collection of the said revenues, a detailed account of which was to be laid before the legislature within fourteen days of the commencement of each session, with all

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vouchers for the same. It was also enacted that all grants or sales of Crown lands should be void, unless the land had been sold at public auction after due notice in the *Royal Gazette*. By this arrangement the House of Assembly had obtained the boon for which it had so long been contending, but there was still one more obstacle to be overcome,—the opposition of the lieutenant-governor, Sir Archibald Campbell, who had entered into a plot with some of the enemies of freedom in the province for the purpose of thwarting, not only the wishes of the House of Assembly, but also the intentions of the home government. As soon as Sir Archibald Campbell was apprised of the intention of His Majesty's advisers in England to transfer the casual and territorial revenues to the provincial legislature, he commenced a correspondence with the colonial office, pointing out what he deemed to be imperfections in the scheme which they had prepared for the management of the public lands. He pretended to have discovered that there was some error in the calculation of the lords of the treasury with regard to the sum to be paid in lieu of the civil list, and that the amount of £14,500 currency would not be sufficient to defray all the expenditures chargeable on the civil list.

Sir Archibald Campbell, soon after the opening of the session of the legislature, in December 1836, requested the House of Assembly to add a suspending clause to any Civil List Bill they might

AN OBSTRUCTIVE GOVERNOR

pass, so that he might forward it to the home government for their approval. As this was entirely contrary to the understanding which had been reached between Messrs. Wilmot and Crane and the colonial secretary,—it being understood that the bill if passed in the form agreed upon would be immediately assented to by the lieutenant-governor,—the House of Assembly very naturally refused to comply with Sir Archibald's wishes. He, however, held firm in his resolution, and the Civil List Bill which had been agreed to by the home authorities, after being passed by both Houses, did not receive his assent. At the close of the session, while the matter was under discussion, at the instigation of the lieutenant-governor one of the executive council, Solicitor-General Street, was sent on a secret mission to Downing Street. The object of this mission was to make such representations to the home authorities as would induce them to delay giving their assent to the Civil List Bill. The truth of the matter seems to have been that Sir Archibald Campbell and his advisers in New Brunswick thought if they could only gain time the Liberal government of England which had granted such favourable terms to the province might be defeated, and a Tory government come into power which would speedily undo all that their predecessors had done, and refuse to grant any concessions to the legislature of New Brunswick. There was great excitement in the province in consequence of the

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action of the lieutenant-governor, and this excitement was fairly voiced in the House of Assembly, where an address was prepared representing the condition of affairs to His Majesty, and detailing the manner in which the lieutenant-governor had sought to thwart the intentions of the imperial government. This address was passed by a vote of twenty-seven to two, the only members who ventured to stand with Sir Archibald being John Ambrose Street and William End.

Messrs. Crane and Wilmot were again appointed a deputation to proceed to England with the address of the House of Assembly, and took their departure two days after it was passed, amidst great popular demonstrations by the citizens of Fredericton. The legislature was prorogued on March 1st, on which day the House of Assembly again requested the lieutenant-governor to pass the Civil List Bill, pointing out that under the arrangements made with the colonial office it was his duty to do so, but their request fell upon deaf ears. In the speech proroguing the legislature, Sir Archibald Campbell stated that he had withheld his assent from this bill because a suspending clause had not been appended to it. These were the last words that this obstinate governor was destined to speak before a New Brunswick legislature.¹ Finding that all his hopes of impeding the progress of the province in the direction of political liberty were in

¹ See Appendix B.

CIVIL GOVERNMENT BILL PASSED

vain, he tendered his resignation to save himself from being removed, as he would have been, for his direct disobedience to the commands of his superiors in England.¹ Sir John Harvey, another soldier, but a man of a very different spirit, was appointed to succeed him as lieutenant-governor. The Civil List Bill was again passed at a special session of the legislature and received the assent of the governor, becoming law on July 17th, 1837. From that time to the present, the province of New Brunswick has controlled the revenues which it derives from its Crown lands and similar sources, and, whether wisely expended or not, the people of this province have at least the satisfaction of knowing that the money is appropriated by their own representatives, and by a government which is responsible to them for its actions.

The death of King William IV took place during the summer of 1837, and brought about another general election. Mr. Wilmot again stood for the county of York and was returned at the head of the poll. This was only a proper recognition of his eminent services to the province in the legislature and as a delegate to England. At this election, Charles Fisher, a young lawyer, was also returned for the county of York. Mr. Fisher, although not so fluent a speaker as Wilmot, was second to no man in the legislature in devotion to Liberal prin-

¹This is shown by the correspondence of Sir John Harvey with the colonial office. Sir John was then governor of Prince Edward Island.

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ciples, and he proved a most valuable lieutenant in the battle for responsible government which now began. The contest for the control of the Crown lands had been won, but a still more difficult task remained for the friends of constitutional principles to accomplish,—the making of the executive responsible to the people. The members of the House of Assembly had been almost unanimous in demanding control of the Crown lands, but, when it came to applying the principles of responsible government to the affairs of the province generally, there were many deserters from the ranks of the Reformers. This was partly due to the principles of responsible government not being well understood even by some members of the legislature, and partly to the fact that the question did not touch the self-interest of the members as had the mismanagement of the Crown lands department.¹

Under a thoroughly constitutional system of government the initiation of money grants would have been in the hands of the executive, but in 1837 not a single member of the executive council had a seat in the House of Assembly. Three of the five members of the executive council were also members of the legislative council, but the two others had no seat in either House, a fact which shows on what lax principles the executive was constructed. The initiation of money grants being in the House of Assembly, any private mem-

¹ See Appendix C.

KING'S COLLEGE

ber had it in his power to move an appropriation of money for any object that he pleased. In this way a system of "log rolling" was inaugurated in the legislature, which resulted in extravagant expenditures and the appropriation of money for objects which, under a better system, would not have received it. It was impossible to put any check upon the expenditure or to keep it within the income under such an arrangement, and one of the first efforts of the Reformers was therefore directed to the removal of this abuse. Unfortunately this was, of all the proposed reforms in the constitution, the one most difficult to carry, and it was not accomplished until after Wilmot had retired from public life.

One of the subjects which engaged the attention of Mr. Wilmot, at an early period of his legislative career, was the charter of King's College. This charter had been obtained in 1828 from His Majesty, King George IV, and the legislature had granted the college an endowment of eleven hundred pounds currency a year, in addition to ten hundred pounds sterling granted by the king out of the casual and territorial revenues of the province. The aim of the charter was to make the college a Church of England institution exclusively, for it provided that the bishop of the diocese should be the visitor of the college, and that the president should always be a clergyman in holy orders of the United Church of England and Ireland. No

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religious test was required of students matriculating or taking degrees in arts, but the council of the college, which was the governing body, was to be composed of members of the Church of England, who, previous to their appointment, had subscribed to the thirty-nine articles. The professors, to the number of seven, who were members of the Church of England, were to be members of the council, so that, although no religious test was required of them, it was reasonably certain that none but persons of that denomination would be appointed to professorships. These terms were much complained of, and surely it was absurd to place a provincial college under the control of a single denomination which could not claim more than one-third of the population of the province as belonging to its communion. It is stated in Fullom's *Life of Sir Howard Douglas*, who was lieutenant-governor of the province at the time, that the charter would have been much less liberal than it was if it had not been for his efforts. The Bishop of Nova Scotia and the Bishop of London desired to confine it entirely to students belonging to the Church of England, and to make subscription to the thirty-nine articles a condition precedent to the granting of degrees in arts. On the other hand, Attorney-General Peters in 1845, when the amendments to the charter were discussed in the legislative council, stated that the charter as originally drafted and sent to England was much

AN EXCLUSIVE INSTITUTION

more liberal in its provisions than when finally passed, but that in 1828, to the surprise of Sir Howard Douglas, the then existing charter came out copied from one obtained by Dr. Strachan for Upper Canada. If this statement was correct, it affords a singular illustration of the injury that the bigotry of one man can cause to future generations. If King's College had treated all denominations on equal terms, all would have resorted to it for higher education. As it was, it became the college of only a section of the people, the different denominations established colleges of their own, and when finally the connection between the Church of England and King's College was severed and it became the University of New Brunswick, the denominational colleges had become so well established that it could hardly compete with them on equal terms.

During the session of 1838 Mr. Wilmot, as chairman, submitted to the legislature the report of the select committee which had been appointed to take into consideration the state of the college. In this report it was proposed to make certain alterations in the charter for the purpose of rendering it more acceptable to those who were not in the communion of the Church of England. In 1839 he introduced a bill in the House of Assembly embracing these amendments. The principal changes were to make the lieutenant-governor visitor of the college instead of the bishop, to repeal the section which provided that the president of the college must be

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a member of the Church of England, and to make persons of every denomination eligible for members of the college council. The professorship of theology was still retained, and students in that course were still required to subscribe to the thirty-nine articles, while services were held in the college morning and evening according to the rites of the Church of England. These changes were certainly of a very moderate character, but they were stoutly resisted by the college authorities and their friends. They put forward the plea that the legislature had no right to alter a royal charter, that to do so was an interference with the royal prerogative, and that the direst consequence would ensue if the constitution of the college was changed. According to their view, a royal charter once granted, the king himself, even with the assistance of both branches of the legislature, could not amend it. The college authorities also denied that they were under the control of the legislature in any way, or responsible to it for their management of the institution, although they were living on money voted by the legislature for its support.

Wilmot's bill passed the House of Assembly, but was defeated in the legislative council. A similar bill was introduced by him in 1840, but postponed in consequence of a communication from the college council which seemed to show an inclination to yield something to the demands of the public. But a fatal objection to these modifications being

ADDRESS TO THE QUEEN

accepted was the insistence of the college council that the bishop of the diocese, or in his absence the archdeacon, should be a member of that body. Representatives of the Presbyterians, Methodists and Baptists pointed out in a memorial to the lieutenant-governor that the exclusive character of the council would still remain, as that body would be composed wholly of members of the Church of England. Lord John Russell, the colonial secretary, to whom the matter had been referred, suggested that the college should surrender its charter and that a new one should be prepared embracing the proposed changes, but the college council took no steps to carry these suggestions into effect. This being the case, at Wilmot's instance the House of Assembly proposed an address to the queen setting forth the facts of the case and asking Her Majesty to assent to a bill, a draft of which was enclosed, which the House of Assembly was prepared to pass.

At the session of 1842 Wilmot again introduced the King's College Bill, and it was passed by the House, but again rejected by the legislative council. Early in the session of 1843, the lieutenant-governor communicated to the House by message two despatches from Downing Street on the subject of the college. One of these was from Lord John Russell, and the other from his successor, Lord Stanley. Lord John laid down the doctrine that "it is a principle of undoubted validity that a

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grant of franchise by the Crown is irrevocable and unalterable by a further exercise of the royal authority unless the power of revocation and change be embodied and reserved in the original grant, or unless the grantees make a voluntary surrender of their franchises." Lord John had evidently forgotten his English history, or he would have known that English kings on many occasions had revoked charters granted by themselves or their predecessors.¹ Lord John desired the college to surrender its charter and accept a new one, but Lord Stanley and the law officers of the Crown whom he had consulted held a different view, and thought that a new charter could be granted to supersede the old. Both colonial secretaries were desirous that the changes in the constitution of the college should be effected by a new royal charter. But this did not suit the views of the House of Assembly, and after another college bill had been defeated in the House and rejected by the council, on March 20th, 1843, the following resolution, which was moved by Mr. Wilmot, was passed by the House without a division:—

“WHEREAS, The assembly, during several years past, have endeavoured, without success, to effect certain reasonable modifications in the charter of King’s College; and whereas those modifications as contained in the bill which has been rejected by

¹ Charles II annulled the charter of Massachusetts, and disposed in a similar fashion of the charter of the city of London, as well as of many English towns.

COLLEGE CHARTER AMENDED

the legislative council, during the present session, have been loudly and repeatedly called for by numerous petitions from nearly every county in the province, while no petition has ever been presented against those modifications; and whereas it is in vain to expect the amount of public benefit from the institution which its munificent endowment from the provincial revenue should ensure; therefore,

“Resolved, That this House have learned with much regret and disappointment that a majority of the legislative council have rejected the said bill during the present session; and further

“Resolved, That this House should persevere in their endeavours to amend the said charter by legislative enactment, and not resort to an address to the throne for a new charter; and that this House will steadfastly adhere to the principle that all the educational establishments of the province, which are endowed from the colonial revenues, whether incorporated by royal charter or otherwise, should be at all times subject to the supervision of the local legislature.”

This resolution embodied a great principle to which the House of Assembly was determined to adhere, and which was very soon carried out. In 1844 the college amendment bill was again rejected by the council, but this was the last effort of that reactionary body to defeat the wishes of the people. At the session of 1845, the college bill was again

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introduced by Mr. Wilmot, and this time it passed both Houses. But like many important bills of that day it was reserved for Her Majesty's pleasure and although passed in March, 1845, it was not until December, 1846, that it received the royal assent and became law.

CHAPTER V

LORD JOHN RUSSELL ON TENURE OF OFFICE

IN the session of 1840 Sir John Harvey, the lieutenant-governor, communicated to the legislature a despatch which he had received from Lord John Russell a short time before. This dealt with the question of the tenure of public offices in the gift of the Crown throughout the British colonies. Lord John had been struck by the fact that, while the governor of a colony was liable to have his commission revoked at any time, the commissions of all other public officials were very rarely recalled except for positive misconduct. In New Brunswick offices had been held generally for life and sometimes for two lives, as was the case with the Odells, father and son, who filled the position of secretary of the province for sixty years. One attorney-general of the province had held office for twenty-four years, another for nineteen years and a third for twenty years. One surveyor-general held office for thirty-three years and another for almost thirty years. Under such a system, it was clear that responsible government could make no advance, for these officials held their positions quite independently of the wishes of the legislature. Lord John Russell thought that the time had

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come when a different course should be followed, and his despatch was for the purpose of announcing to the lieutenant-governor the rules which would hereafter be observed in the province of New Brunswick. He said :—

“You will understand, and cause it to be made generally known, that hereafter the tenure of colonial offices held during Her Majesty’s pleasure will not be regarded as equivalent to a tenure during good behaviour, but that not only such officers will be called upon to retire from the public service as often as any sufficient motives of public policy may suggest the expediency of that measure, but that a change in the person of the governor will be considered as a sufficient reason for any alterations which his successor may deem it expedient to make in the list of public functionaries, subject, of course, to the future confirmation of the sovereign.

“These remarks do not extend to judicial offices, nor are they meant to apply to places which are altogether ministerial, and which do not devolve upon the holders of them duties, in the right discharge of which the character or policy of the government are directly involved. They are intended to apply rather to the heads of departments than to persons serving as clerks, or in similar capacities under them. Neither do they extend to officers in the services of the lords commissioners of the treasury. The functionaries who will be chiefly, though not exclusively, affected by them, are the colonial

AN HISTORIC DESPATCH

secretary, the treasurer or receiver-general, the surveyor-general, the attorney-general and solicitor-general, the sheriff or provost marshal, and other officers, who under different designations from these, are entrusted with the same or similar duties. To this list must be also added the members of the council, especially in those colonies in which the legislative and executive councils are distinct bodies.

“The application of these rules to officers to be hereafter appointed will be attended with no practical difficulty. It may not be equally easy to enforce them in the case of existing officers, and especially of those who may have left this country for the express purpose of accepting the offices they at present fill. Every reasonable indulgence must be shown for the expectations which such persons have been encouraged to form. But even in these instances it will be necessary that the right of enforcing these regulations should be distinctly maintained, in practice as well as in theory, as often as the public good may clearly demand the enforcement of them. It may not be unadvisable to compensate any such officers for their disappointment, even by pecuniary grants, when it may appear unjust to dispense with their services without such an indemnity.”

This despatch produced consternation among those who had been accustomed to regard their offices as held on a life tenure, but it was looked upon

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by all the friends of good government as the beginning of a new and better order of things with respect to the public services. The matter was considered by a committee of the whole House a few days after the despatch was received, and an effort was made by Wilmot to have a favourable vote with regard to it. But although the friends of the old Family Compact always professed to be extremely loyal and to pay great deference to the wishes of the British government, on this occasion they pursued a different course. A majority of the House voted down a resolution which affirmed that this despatch should be "highly satisfactory," "affording, as it does, the most satisfactory proof of a sincere desire on the part of our Most Gracious Queen and her government to infuse principles in the administration of colonial affairs strictly analogous to the principles of the British constitution." Instead of passing this sensible resolution the committee, by the casting vote of the chairman, passed the following absurd amendment:—

“Resolved, As the opinion of this committee, that there is nothing in the despatch of the Right Honourable Lord John Russell, now under consideration, to call forth any expression from the House on the subject of colonial government, and that in the event of any occurrence taking place to disturb the present happy political state of the province, the House cannot but entertain the opinion that any loyal and dutiful representations which

OFFICIAL SALARIES

they may have occasion to lay at the foot of the throne will receive, as they have always done, the royal consideration."

The vote on the original resolution was fifteen to thirteen, so that, although defeated, it had a strong support in the House, yet it was years before the principles embodied in the despatch of Lord John Russell were carried into full effect in New Brunswick.

When the Civil List Bill was passed in 1837, the salaries of the public officials which were provided for in it were placed on a very liberal scale. The lieutenant-governor was to receive £3,500 sterling, or almost double the present salary of the lieutenant-governor of New Brunswick. The commissioner of Crown lands was to have £1,750 sterling, or about five times as much as the present holder of that office; the provincial secretary got £1,430 sterling, or more than three times as much as the secretary of the province now receives. All the other salaries were in the same proportion, and on a scale altogether beyond the means of the province. It was admitted by Lord Glenelg, when the arrangements were being made for the transfer of the casual and territorial revenues, that these salaries might require modification, and he suggested that the legislative council and the House of Assembly should at some future day present him with their views on this subject. At the session of 1837, a committee of the House of Assembly, of which Wilnot was a mem-

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ber, reported in favour of a reduced scale of salaries, and this report was adopted. During the same year, a committee of the council recommended that the salary of the surveyor-general or commissioner of Crown lands should be reduced to twelve hundred pounds currency. This reduction was protested against by Mr. Baillie, who had held the office for many years, but it was thought to be reasonable by Lord Glenelg. The executive council, however, took no steps to effect this reduction, possibly because Mr. Baillie himself was a member of that body. At the instance of Mr. Wilmot, the matter was taken up at the session of 1839, and a strongly worded resolution passed censuring the executive council for not carrying into effect the reduction of the salary of the surveyor-general, according to the views of Lord Glenelg. At a later period in the same session, a committee, of which Wilmot was an active member, laid before the House a scale of salaries which they considered sufficient for the public officials embraced in the civil list. Under this scale, the salary of the surveyor-general was reduced to £600 currency, and that of the provincial secretary to the same amount. This report was not accepted;¹ and it was not until a much later period that the salaries of the public officials were placed on a footing that agreed in some measure with the means of the province.

¹ See Appendix D.

RESPONSIBLE GOVERNMENT

At the session of 1842, Wilmot was an active member of a committee which was appointed to take into consideration the subject of fees and emoluments of the public officers, and at a later period in the session they made a report recommending that all fees should go into the treasury of the province and that all public officers should receive a certain fixed salary. They presented with their report a scale of salaries which they considered sufficient, which gave the provincial secretary, surveyor-general and attorney-general each six hundred pounds. Bills were introduced for the purpose of carrying these recommendations into effect, but, although passed by the House, they were rejected, largely from selfish motives, by the council, which for many years was the graveyard of all measures for the improvement of the province.

The general election of 1842 was mainly fought on the Reform issue, and the question of responsible government was discussed on every hustings.¹ Unfortunately very few of the candidates who offered their services as legislators had a clear idea of what responsible government really meant, and some of the gentlemen who were not ashamed to confess their ignorance of the principles of the British constitution were men of education and position, from whom better things might have been expected. Mr. Robert L. Hazen, an eminent lawyer, who was

¹ See Appendix E.

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a candidate for the representation of the city of St. John, declared in his nomination speech that he never met with any one who could explain to him satisfactorily what responsible government meant. Mr. Humbert, one of the candidates for St. John County, was entirely averse to the new principles. "And what," he asked, "are these principles?" "Why," he would ask, "should the old system be altered; it had never given cause for complaint, it had always worked well,—then why should the people complain?" He was not in favour of any innovations on British colonial government. Very few people understood what responsible government meant. He hardly understood it himself. It was, in his opinion, just introducing another branch into our government. He was not in favour of the government initiating the money votes. He was always sensitive about the rights of the House—to them ought the power of originating the supplies to belong, and to none other—and if returned he would oppose the measure.

Such absurdities as the above would not be worth quoting, but for the light they throw on the views of the average New Brunswick politician of that period. Mr. Humbert had been for many years a member of the House of Assembly, and yet he had been unable to understand the significance of the changes which the Reformers proposed in the constitution of the country. The result of the election in St. John showed that the people of

REFORMERS DEFEATED

that city and county were quite indifferent to the new doctrines. For the county, Mr. Partelow was at the head of the poll, and that gentleman on the hustings had declared that he was opposed to any change in the constitution. He went into the House, he said, under a constitution of fifty years' standing, and he was determined to leave it as he found it, unimpaired. He disapproved of the initiation of money votes being placed in the hands of the executive. He thought "such a system would be wrong and pernicious in the extreme."

When the legislature met in January 1843, it was found that the Reformers were in the minority.¹ Mr. Partelow was determined to make this fact very clear, for in nominating the speaker he made a speech of some length in which he declared that the time had come for testing the principles on which the House should act, and with this object in view he would throw down the gauntlet to the friends of responsible government by nominating Mr. J. W. Weldon, to fill the chair. This gentleman was a very fit representative of the old system, for besides being a member for Kent, he filled almost all the offices in that county which one man could hold. He was postmaster of Richibucto, deputy treasurer for the port of Richibucto, and issuer of marriage licenses, keeper of the seals and clerk of the peace and of the inferior court of common pleas, and register of probates for the county.

¹ See Appendix F.

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Mr. Wilmot was nominated for the speakership by Mr. Hill, of Charlotte, but declined to run; the odds were too great, and so Mr. Weldon, the opponent of responsible government, was elected without opposition. This was an unsatisfactory result after so many years of conflict, but the friends of Reform, although they had to admit defeat, were neither daunted nor discouraged. They knew that many other questions besides the abstract one of the adoption of responsible government had influenced the recent election, and that the new principles had been blamed for results that would have been avoided if they had been in operation. For instance, the transfer of the casual and territorial revenues to the treasury of the province in 1837 had placed a very large sum, amounting to £150,000, at the disposal of the legislature. All this money had been dissipated by extravagant grants, and in 1842 the province was actually in debt. Many ignorant electors were made to believe that this result was due to the Reformers who had been the means of obtaining this money, which the legislature had squandered; and this feeling was so strong in the county of York, that Messrs. Wilmot and Fisher stood lower on the poll than the two anti-Reformers who were elected with them.

CHAPTER VI

THE READE APPOINTMENT

ALTHOUGH elected in opposition to responsible government, the legislature of 1843 at its first session took one important step in favour of Reform. The arrangement by which the executive and legislative councils were separated, which had come into force ten years before, although a decided improvement on the old state of affairs, did not produce universal satisfaction.¹ The constitution of the legislative council was complained of, and it was described as an obstructive body which disregarded the wishes of the people. Bills of the utmost importance, which had been passed by large majorities in the House of Assembly, and which were demanded by the people, were frequently rejected by the council without being even discussed. Most of its members were opposed to any change in the constitution of the province, and everything which seemed to be in the direction of giving power to the people was denounced as an innovation and condemned as an infringement of

¹This change had been effected by a royal commission under the signet and sign-manual dated December 3d, 1832. There is nothing in the records of the province to show why this was done. Neither the council nor the House of Assembly had asked for it. The Nova Scotia council was not divided until 1838.

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the vested rights of the council. One of the chief causes of complaint against the council was their rejection of every bill for the amendment of the charter of King's College. Wilmot had so frequently had his efforts in this direction nullified by the council that he introduced a resolution in the assembly condemning the conduct of that body for rejecting the college bill, and the council retaliated by unanimously voting this a breach of privilege.¹ The complaints of the House of Assembly against the legislative council were now embodied in an address to the queen. In this address it was stated that in the opinion of the House the legislative council should be composed of persons not only representing all the leading interests of the province, but so independent in respect to property and so free from official control as to form a constitutional check on the executive. Although, by the laws that existed then, members of the assembly were required to be possessed of real estate to the value of two hundred pounds, over and above all encumbrances, there was no property qualification whatever required for members of the legislative council. The address of the House expressed the opinion that members of the council should be required to possess a certain amount of real estate, and that their seats should be vacant on the loss of this qualification, or on their becoming bankrupt,

¹ Mr. Wilmot's resolution was carried in the assembly without a division, so that he had the solid support of the popular branch of the legislature, yet little good was to be expected from such votes in the House.

THE LEGISLATIVE COUNCIL

or public defaulters, or from neglect to give their attendance for a given time without leave of the lieutenant-governor. The address also stated that the constitution of the legislative council was defective and objectionable in other respects, because, of the eighteen members who composed it, a great proportion held offices at the pleasure of the Crown, and the principal officers of the government usually formed a majority of the members present. It was also complained that members of the Church of England had too great a preponderance in the council, the only members not of that communion being one Presbyterian and one Baptist.

At the next session of the legislature, despatches from Lord Stanley were laid before the House of Assembly in which it was stated that the council would be increased in number to twenty-one, and four new members of the council were to be appointed. The new members then appointed were T. H. Peters, Admiral Owen, William Crane and George Minchin, while the Hon. Thomas Baillie, the surveyor-general, the Hon. Mr. Lee, the receiver-general, the Hon. James Allanshaw, of St. Andrews, and the Hon. Harry Peters, of Gagetown, retired. No doubt the retirement of two officials who received large salaries was some improvement, but the council required further remodelling before it could be said to be an efficient body, or one in sympathy with the inhabitants of the province.

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The legislative council has now ceased to exist, and it may be said of it that it was never a very satisfactory body for legislative purposes. Perhaps the original composition of it created such a prejudice against legislative councils as to hamper its activities; and, from having been at first merely the echo of the wishes of the governor, it became latterly, to a large extent, the echo of the wishes of the government. Gradually it became relieved of its official members, and in its last years no head of a department ever occupied a seat in the legislative council; for it was thought, and rightly, that the power ought to be in the House, where the responsibility to the people was most felt, and that it was not wise to place an official whose department expended large sums of money in a body which properly had no control over the public expenditure. The legislative council had undoubtedly from time to time many able and useful members, and, at certain periods in the history of the province, particularly during the confederation discussions, it took a firm stand in favour of measures which seemed essential to the prosperity of the British North American provinces. No one can deny that at that time it exercised an authority fully equal to that of the Lower House, but it cannot be doubted that some of this work was done at the expense of the proper balance of the constitution. Such an exercise of unusual authority on the part of a body not elected by the people may serve a purpose at a

THE COUNCIL'S RECORD

particular crisis, but cannot be commended as an example, and if frequently repeated would end in the destruction of the constitution.

The legislative council lost a considerable proportion of its able men at the time of confederation by the removal of eleven of its members to the senate of Canada, although one or two remained with it who were not inferior to any of those who then took their departure. The new members who came in as their successors were naturally inferior to the old in practical experience and ability, and this had, no doubt, an influence on the future of the House. The example of Ontario, which was able to conduct its affairs with one House, showed that two independent branches of the legislature were by no means necessary, and that the council might be abolished with safety. No doubt it was difficult to bring this about among a people who had been trained to believe that there was something essential to legislation in the balance of king, lords, and commons, making up one legislative body. But in the course of time the electors began to think that the council was not exactly the proper equivalent of the House of Lords, and the lieutenant-governor very far from standing in the position of a king. Old prejudices in favour of a constitution framed after a particular model are difficult to remove, but, in the case of New Brunswick, these prejudices were at length overcome, and it is safe to say that in the course of time all the provincial legislatures

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of Canada will consist of but a single chamber, and that under the new system the work of legislation will be as well done as it was under the old.

The session of the legislature in 1843 came to an end on April 11th, and on the seventeenth of the same month Wilmot became a member of the government.¹ His appointment had been preceded by the resignation of five members of the government—Messrs. Black, Shore, Robinson, Odell and Crane—and by the appointment of Messrs. E. B. Chandler, Hugh Johnston, John Montgomery and Robert L. Hazen, to fill the vacancies thus created. Of the retiring members two—Messrs. Black and Shore—were members of the legislative council; one of them, Mr. Crane, was a member of the House of Assembly, while the other two were officials who did not belong to either branch of the legislature. Of the new members of the executive council, Messrs. Chandler and Johnston were members of the legislative council, Messrs. Hazen and Wilmot were members of the House of Assembly, while Mr. Montgomery had no seat in either House. The executive council as made up at that time included four members of the legislative council, three members of the House of Assembly and Mr. Montgomery, who did not become a member of the House of Assembly until three years later. There is no doubt that the composition of the new executive council was more in accordance with correct

¹ See Appendix G.

ENTERS THE GOVERNMENT

principles than its predecessor; yet little could be expected from it in the way of Reform, for Wilmot was the only member who was in favour of responsible government.

Mr. Wilmot has been censured for entering a government composed of men who were opposed to the liberal views he held on public questions. It was thought by many that his conduct in this respect looked too much like a surrender of his principles for the sake of office or official position, and it certainly would have been better if he had continued in Opposition. Yet we can easily conceive that he may have thought at the time he could do more for the cause of Reform inside the government than out of it, and, although this proved to be an error, it was a natural one for which it is not difficult to find an excuse. Fortunately for the cause of Reform, Wilmot's connection with the government did not last long at that time. A storm was gathering in an unexpected quarter which was destined to wreck the government, and to cause some of its Conservative members to reconsider their opinions with reference to some questions which until then they had regarded as fixed and unchangeable.

It has been already stated that the governor of the province made such appointments to office as he pleased, usually without the advice of his council. He was supposed to have the power to do this as the representative of the sovereign and in the

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exercise of what was termed "the royal prerogative." In this way persons were frequently appointed to offices who were not residents of the province, and in all other cases appointments were given to the members of certain favoured families. In 1834, a vacancy was created on the supreme court bench by the death of Chief-Justice Saunders. Ward Chipman was appointed chief-justice in place of Mr. Saunders, and the vacant puisne judgeship was given to James Carter, who afterwards became chief-justice of the province. Carter was a young Englishman then living in London, and was certainly no better qualified to fill the position of judge than many natives of the province, so that it was regarded as a gross insult to the members of the New Brunswick bar, to give such an appointment to a stranger. Yet so slow was public opinion to make itself felt in regard to the evil of the appointing power being given to the governor without qualification, that ten years later the House of Assembly presented an address to Sir Charles Metcalfe, governor-general of Canada, expressing the high sense entertained by them, as representatives of the people of New Brunswick, of the "constitutional stand" taken by him in maintaining the prerogative of the Crown in the then recent memorable "conflict."¹ The city of St. John

¹ The resolution to present this address was strongly opposed by Mr. Wilmot and his colleague, Mr. Fisher, who both declared the conduct of Lord Metcalfe to be contrary to the principles of responsible government. Mr. Wilmot's speech led to a singular result. He was attacked in



VIEW OF ST. JOHN, N.B., 1851
From a lithograph in the Public Archives of Canada

SIR CHARLES METCALFE

also, to show its loyalty, presented a similar address; and one signed by one thousand persons was sent from the county of York.

Yet nothing can be more clear than that the stand taken by Sir Charles Metcalfe in 1844 was wholly wrong, for it consisted in refusing to consult with his council in regard to appointments, and in making appointments contrary to their advice. What would the people of Canada say to-day to a governor-general who insisted on appointing men to office against the advice of his cabinet? Yet it was for doing this that the New Brunswick House of Assembly, the city and county of St. John and the county of York actually grovelled in the dust before this despotic governor, thus approving of all his acts. Such abasement and subserviency to an unconstitutional governor was certain to bring its own punishment, and it came much sooner than any one could have anticipated. On Christmas Day of the same year the Hon. William Franklin Odell, who had been provincial secretary for thirty-two years, died at Fredericton. Mr. Odell's father had the *Loyalist* newspaper for his opposition to the address, and this attack having been brought to the notice of the House of Assembly was voted a breach of privilege. Messrs. Doak and Hill, the proprietors of the paper, were arrested on the warrant of the speaker and committed to prison. On the application of their counsel, Mr. D. S. Kerr, they were released by Mr. Justice Carter on a writ of *habeas corpus*. Doak and Hill both brought actions against the speaker, Mr. Weldon, and the result was a decision of the Supreme Court of New Brunswick that the House of Assembly had not the power to arrest and imprison the publisher of a libel on a member of the House touching his conduct and proceedings in the House.

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been secretary before him from the foundation of the province, so that the Odell family had held that highly lucrative office for sixty years.

The governor at this time was Sir William Colebrooke, and on January 1st, 1845, just one week after the death of Mr. Odell, he appointed his son-in-law, Alfred Reade, who was a native of England and a stranger to the province, to the vacant office.¹ The gentlemen who had been most prominent in shouting their approval of the "constitutional stand" taken by Sir Charles Metcalfe, now suddenly discovered that Sir William Colebrooke's conduct in making this appointment without consulting his council, was a fearful outrage, and their distress was pitiable to behold. Several members of the government, including such zealous upholders of the prerogative as the Hon. Robert L. Hazen, of St. John, at once resigned their positions. A communication from three of them—Hugh Johnston, E. B. Chandler and R. L. Hazen—addressed to His Excellency gave as their reasons for resigning that they could not justify the exercise of the prerogative of the Crown in respect to Mr. Reade's appointment, because they felt that "the elevation to the highest offices of trust and emolument of individuals whose character, services, and claims to preferment, however appreciated elsewhere, are entirely unknown to the country generally, is prejudicial to the best inter-

¹ See Appendix H.

RESIGNATION

ests of the province." They did not, however, make it a ground of objection that the appointment of Mr. Reade was forwarded for the royal approbation without the advice or concurrence of the council. These gentlemen evidently thought it was too early for them to eat the words in regard to the prerogative of the Crown, of which they had been so free a few months before, but they showed their true characters by deserting the governor because he had been foolish enough to believe that their profuse expressions in favour of the royal prerogative were sincere.

Mr. Wilmot, who also resigned, sent a separate communication to the lieutenant-governor in which he stated what he considered to be the true constitutional doctrine which should govern such matters. He said:—

“In the first place, I consider it justly due to the people of this province, that all the offices of honour and emolument in the gift of the administration of the government should be bestowed upon inhabitants of the province who have made this country their home, and, in the cases of the principal offices, those persons should be preferred who have claims for public services rendered to the province, and who can command the respect and confidence of the country. With these views, which I hope I shall ever retain, I must necessarily disapprove of the appointment in question, as I can only look upon Mr. Reade as a comparative

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stranger and a transient person, while, at the same time, I am of opinion that he has no claim whatever on the ground of public services rendered to this province.

“It would be in vain for the parents of our youth to make every exertion in order to qualify their sons for the higher offices of the province, if the avenues to honourable and profitable preferment are to be thus closed against them; and I therefore cannot but view the appointment under consideration as an act of great injustice to the people of this country; and I can safely assure Your Excellency that it will be thus considered throughout the length and breadth of the province.

“Your Excellency is well aware that ever since I have had the honour of having a seat in the council, I have approved of, and advocated those principles of colonial government which are now in full operation in Canada, which have been distinctly enunciated by the present government in the House of Commons, and which require the administration to be conducted by heads of departments responsible to the legislature, and holding their offices contingently upon the approbation and confidence of the country as expressed through the representatives of the people. Still entertaining a strong attachment to those principles from a clear constitutionality, and, from a conscientious belief in their safe and practical adaptation to a British colony enjoying the privileges of a representative

REMONSTRANCE OF THE ASSEMBLY

form of government, I can see no sufficient reason for withholding their salutary influence from the . . . people of this province; and considering it more advisable that a gradual advancement should be made by the government itself towards those principles as opportunities may offer, than that a concession in gross should hereafter be made to the urgent demands of the country, I am of the opinion that the provincial secretary should now be brought into the executive government, and should hold a seat in one of the Houses of the legislature—his tenure of office being contingent upon the successful administration of the government; and therefore, as the appointment in question has been made irrespective of any of these conditions, I am bound to give it my opposition.”

When the House met in the latter part of January, the Reade appointment immediately became the subject of discussion, and by the vote of twenty four to six, an address was passed to Her Majesty the Queen, condemning the appointment, not, as the members said, because they questioned “in the remotest degree the prerogative in its undoubted right to make such appointments,” but because they thought that the right of appointment had been improperly or unjustly exercised.¹ In other words, the members of the House of Assembly surrendered the principle that appointments should be made by the governor, with the advice of his

¹ See Appendix I.

executive, and only objected to the Reade appointment because, in their opinion, some one else should have been chosen. It is easy to see that in subscribing to this address the members of the House stultified themselves; for if it was a part of the prerogative of the Crown to make appointments without the advice of the council, surely the exercise of the prerogative in the appointment of a particular individual could not be fairly questioned. The result of the difficulty, however, was the cancelling of Mr. Reade's appointment by the home government.¹ This decision was communicated to the House of Assembly by message on February 3rd, 1846. The despatch from the colonial office, upon which the lieutenant-governor acted, was written on March 31st, 1845, and must have been received by him at Fredericton not later than the last of April. But notwithstanding this despatch Mr. Reade held office until July 17th, so it will be seen that Sir William Colebrooke was in no hurry to carry out the wishes of the home government. Lord Stanley, the writer of the despatch in question, expressed the opinion that public employment should be bestowed on the natives or settled inhabitants, and he thought that Mr. Reade did not come under this description. He closed his despatch with the following singular statement: —

“I observe with satisfaction that the House of Assembly have not only abstained from complicat-

¹ See Appendix J.

READE'S APPOINTMENT CANCELLED

ing the subject with any abstract question of government, but have rejected every proposal for laying down formal principles upon such questions. The House has, I think, in this course done justice to the earnest desire of Her Majesty that the colonial administration generally should be conducted in harmony with the wishes of her people, whatever may be the variations arising out of local considerations and the state of society in various colonies, subject to which that principle may be carried into practice ; and it is anxiously hoped that the same wise forbearance which has led the House of Assembly to decline the unnecessary discussion of subjects of so much delicacy, may lead them also to regard the practical decision now announced as the final close of the controversy, and to unite in the promotion, not of objects of party strife and rivalry, but of the more substantial and enduring interests of the colony which they represent." If these words have any meaning, they seem to show that at that date the British government believed the right of appointment to be in the Crown, without reference to the council, and that they were unwilling that any general principle should be laid down by the legislature of the province which conflicted with this view.

CHAPTER VII

WILMOT'S VIEWS ON EDUCATION

AMONG the questions in which Wilmot took a deep interest was that of education. His views on this subject were far in advance of those of most of his contemporaries. Education was in a very unsatisfactory condition in the province of New Brunswick when he entered public life, and it continued in that condition for many years afterward. If we may judge from the statute-book, the founders of the province had very little appreciation of the advantages of education, for no law was passed with a view to the establishment of public schools until the year 1805. In that year "An Act for encouraging and extending literature in this province" was passed, under the provisions of which a public grammar school was established in the city of St. John, which received a grant of one hundred pounds for the purpose of assisting the trustees to procure a suitable building for school uses, and also an annual grant of one hundred pounds for the support of the master. The same Act provided for the establishment of county schools, and the sections relating to them, being limited in respect to time, were continued by 50th George III, Chap. 33 to the year 1816, when they expired and were

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replaced by "An Act for the establishment of schools in the province." This Act expired in 1823, and in its place "An Act for the encouragement of parish schools" was passed the same year. This last Act was repealed by "An Act in relation to parish schools" passed in 1833, which continued in force for many years. All these Acts were essentially the same in principle, as they provided for government aid to teachers who had been employed to teach schools in the parishes under the authority of the school trustees. The Act of 1833, which was considered to be a great improvement on former Acts, provided for the appointment of three school trustees in each parish by the sessions, and these trustees were charged with the duty of dividing the parishes into districts and directing the discipline of the schools. They were required to certify once a year to the lieutenant-governor as to the number of schools in their parish, the number of scholars and other particulars, and on their certificate the teacher drew the government money. This money was granted at the rate of twenty pounds for a male teacher who had taught school a year, or ten pounds for six months, and ten pounds for a female teacher who had taught school a year, or five pounds for six months, provided the inhabitants of the school district had subscribed an equal amount for the support of the teacher, or supplied board, washing and lodging to the teacher in lieu of the money. Thus a male teacher in

PROVINCIAL GRAMMAR SCHOOLS

a district where a school was always kept, would receive for his year's work his board, lodging and washing, and twenty pounds in money; and a female teacher ten pounds. Such a rate of remuneration was not well calculated to attract competent persons, and the result was very unsatisfactory. Most of the teachers employed were old men who had a mere smattering of learning and who were very incompetent instructors. They usually lodged with the parents of the pupils, living at each house in proportion to the number of scholars sent. This system, which raised them but one degree above the condition of paupers, was not conducive to their comfort or self-respect. As there was no uniformity in the books prescribed and no sufficient educational test, the results of such teaching were not likely to be satisfactory. Sometimes the teacher was a woman who eked out a scanty subsistence by communicating her small learning to a few scholars whom she gathered in her kitchen. Generally, however, the school building was a log hut without any of those appliances which are now regarded as essential to the proper instruction of youth.

In 1816 an Act was passed providing for the establishment of grammar schools in the several counties of the province. At that period St. John and St. Andrews had already grammar schools which had been established under separate Acts, and Fredericton had an academy or college, which was

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founded by a provincial charter granted by Lieutenant-Governor Carleton in 1800. The counties of St. John, Charlotte and York were therefore excepted from the operation of the general Act for the establishment of grammar schools. This Act, after being amended in 1823, was finally repealed by the Act of 1829, which endowed King's College at Fredericton and made new provisions for the establishment and support of grammar schools throughout the province. King's College at a later period developed into the University of New Brunswick. It had its beginning in the original charter of 1800, already referred to, which established the College of New Brunswick. In the same year the governor and trustees of the College of New Brunswick received a grant, under the great seal of the province, of a considerable tract of land in and near Fredericton for the support of that institution of learning. Until the year 1829, the New Brunswick College was merely a classical school receiving from the legislature annually two hundred and fifty pounds, which was the same amount then allowed to the St. John Grammar School.

At an early period, the attention of the people of that province was directed to what was called the Madras system of national schools as conducted by Dr. Bell, the real founder of the system being Joseph Lancaster. This system depends for its success on the use of monitors, who are selected from among the senior pupils to instruct the younger

MADRAS SCHOOLS

ones. It was supposed at the time to be a notable discovery, but, like other short cuts to learning, has fallen out of favour. In July, 1818, the first Madras school was established in St. John by a Mr. West from Halifax. This was a boys' school; and a school for girls, on the same system, was opened a year or two later. In 1819, a Madras school charter was procured under the great seal of the province, and the Madras school system established on a substantial foundation. The province gave a grant of two hundred and fifty pounds for the erection of a suitable building in St. John, and the National Society in England contributed to its support. This charter was confirmed by an Act passed in 1820. The St. John school was to be regarded as the central school, but it was the design of the charter that the benefits of the system should be extended to other parts of the province, and this was accordingly done. The Madras schools received liberal appropriations of money, and large grants of land, and they continued to exist until the introduction of the free school system in 1872. Two or three of them, indeed, continued in operation after that time, but they had lost their original character and had become simply Church of England schools, that denomination having appropriated the Madras school endowments to the support of schools in which its principles and creed were taught. In 1900, by Act of the legislature, the Madras school property was handed over to the diocesan synod of

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Fredericton, with the exception of about ten thousand dollars, which went to the University of New Brunswick.

From the day when Wilnot became a member of the House of Assembly in 1835, he began to press upon the attention of that body the necessity for an improvement in the schools of the province. But the same spirit of apathy which prevailed with regard to purely political questions affected the legislature with respect to education. The people throughout the province were not prepared to make the sacrifices necessary to obtain sufficient schools. Their attitude with regard to education was well described in a speech made by Wilmot in 1846, when Mr. Brown, of Charlotte, brought in his bill to provide for a normal or proper training school for the education of those who were to become teachers. This bill did not become law, in consequence of the opposition raised against it in the legislature on the ground of expense. It was estimated that it would cost an additional two thousand pounds to provide a normal school, and this sum the men who were at the head of the government were not willing to pay for the purpose of giving the children of the province properly trained teachers. Wilmot's speech on that occasion concluded as follows:—

“Before I sit down I must again revert to the greatest difficulty which has to be encountered to render the provisions of that bill effective in pro-

PARISH SCHOOLS

moting a better system of education in the parish schools. This is a difficulty which in this country legislation cannot reach—I earnestly wish it could. I mean the apathy of the parents themselves. The honourable member now in the chair can bear me witness as to the extent to which this apathy prevails in this county at this day. That honourable member, when out of the chair, could tell the committee that in a certain district of this county where there is no schoolhouse, a philanthropic individual told the inhabitants that if they would get out a frame and provide the boards, he would at his own expense provide nails, glass, locks, and the necessary materials for finishing a schoolhouse. What was the result? They did get out the frame and raised it, and when I and the honourable chairman had occasion to visit that part of the county together, we enquired why they did not go on and finish it. The worthy individual who had made the proposition, and bought and had in his house the materials for finishing the building, told us that the inhabitants of the district would not find the boards, and, in consequence of that, the erection of the schoolhouse had not been gone on with. A gentleman now present (I will not mention names, as the chairman might blush) offered to give them the boards from a neighbouring mill if they would go and fetch them, but even this they would not do. Although everything was to be had without money, there was no one who felt

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interest enough in the education of their children to go and bring them to the spot—and to this day the frame stands, as it then did, a melancholy monument of the dreadful apathy which is sometimes to be found even in this comparatively intelligent county.”

Mr. Wilmot lived long enough to see a free school system in force in his native province, although he had no share in bringing this result about. Yet that his views on this subject were sound and far in advance of his time is shown by a speech which he made at the time of the opening of the first exhibition in the province in 1852. He said:—

“It is unpardonable that any child should grow up in our country without the benefit of, at least, a common-school education. It is the right of the child. It is the duty not only of the parent but of the people; the property of the country should educate the country. All are interested in the diffusion of that intelligence which conserves the peace and promotes the well-being of society. The rich man is interested in proportion to his riches, and should contribute most to the maintenance of schools. Though God has given me no child of my own to educate, I feel concerned for the education of the children of those who do possess them. I feel concerned in what so intimately touches the best interests of our common country. I want to hear the tax collector for schools calling at my

MONEY VOTES

door. I want the children of the poor in the remote settlements to receive the advantages now almost confined to their more fortunate brethren and sisters of the towns. I know full well that God has practised no partiality in the distribution of the noblest of his gifts—the intellect; I know that in many a retired hamlet of our province—amid many a painful scene of poverty and toil—there may be found young minds ardent and ingenious and as worthy of cultivation as those of the pampered children of our cities. It is greatly important to the advancement of the country that these should be instructed.”

The initiation of money grants by the executive, and the responsibility of the latter to the people, are the two corner-stones on which responsible government must rest. From the very first, Wilmot was an earnest advocate of both these measures; but, owing to the apathy of the people and the disinclination of the members of the legislature to give up what they considered their privileges, it was a difficult matter to accomplish these objects. A reference to the journals of the legislature will show that on numerous occasions he pressed these subjects on the attention of the House of Assembly, and he was ably assisted by his colleague from the county of York, Mr. Charles Fisher, who deserves a foremost place among the men who should be honoured for their efforts to bring about responsible government in the colonies

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of British North America. It was a peculiar feature in the struggle for responsible government in New Brunswick that, before it ended, the opposition to it came not so much from the British government as from the members of the provincial legislature. It was evident that the system of appropriating money which existed in the House of Assembly was one which was wrong in principle and resulted in getting the province into debt, because there was no guiding hand to control the expenditure. The transfer of the casual and territorial revenues to the provincial treasury in 1837 had placed a very large sum, amounting to about £150,000, at the disposal of the legislature, but this sum was speedily dissipated; and in the year 1842, when Sir William Colebrooke became lieutenant-governor of the province, its finances were in an embarrassed condition.

Towards the close of 1841, a despatch was received from Lord Stanley, the colonial secretary, suggesting that it was desirable that a better system of appropriating the funds of the province should be inaugurated. This brought up a discussion in the legislature during the session of 1842 in regard to the propriety of adopting the principle of placing the initiation of money grants in the executive council. Mr. Wilmot moved a resolution in committee of the whole House "that no appropriation of public money should be made at any future session in supply, for any purpose what-

AN ABUSE UPHELD

ever, until there be a particular account of the income and expenditure of the previous year, together with an estimate of the sums required to be expended, as well for ordinary as extraordinary services, respectively, and also a particular estimate of the principal amount of revenue for the ensuing year." To this an amendment was moved by Mr. Partelow that "Whereas the present mode of appropriation, tested by an experience of more than fifty years, has not only given satisfaction to the people of this province, but repeatedly attracted the deserved approbation of the colonial ministers as securing its constitutional position to every branch of the legislature, therefore resolved, as the opinion of this committee, that it is not expedient to make any alteration in the same." This amendment was carried by a vote of eighteen to twelve.

Such an amendment as that passed by the House of Assembly of New Brunswick in 1842 would now only be an object of ridicule, because, as a matter of fact, the financial condition of the province showed that the system of appropriation which prevailed was based on false principles, while the alleged approval of the colonial ministers of which so much account was made, had been extended to the most illiberal features of the constitution. There was, however, some excuse for the reluctance of the members of the House of Assembly to surrender the initiation of money votes to the executive, because the executive coun-

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cil of that day was not a body properly under the control of the legislature, or in sympathy with the people.

When the House met in 1843, it was seen that the friends of responsible government were still in the minority. Yet they brought up the subject of the appropriation of the public moneys by a resolution which sought to fix the responsibility of the expenditure on the government. This was met by an amendment moved by Mr. J. W. Weldon, that the House would not surrender the initiation of the money votes. The amendment was carried by a vote of twenty-four to seven, which showed that the friends of Reform had still much leeway to make up before they could hope to impress their views upon the legislature.

As it was hopeless to expect that a House of Assembly thus constituted would vote in favour of the transfer of the initiation of money grants to the executive, Wilmot did not bring up the subject again during the remainder of its term; but by the operation of the Quadrennial Act, which came into force in 1846, a new House was elected in that year, which was largely made up of the same members as the previous one, and at the first session of this House, held early in 1847, Wilmot, during the discussion of the revenue bill, brought up the question of the initiation of money grants in a vigorous and characteristic speech. He said:—

SPEECH ON APPROPRIATIONS

“Can my honourable gentlemen tell me within five thousand pounds of the money asked for, or required for the present session? No, they cannot, and here we are going on in the old way, voting money in the dark, with a thing for our guide called an ‘estimate’—a sort of dark lantern with which we are to grope our way through the mazes of legislation. Where is the honourable member for Gloucester who talked so much about the good old rules of our forefathers? I am opposed to the present principle of voting away money; it is, in fact, but giving to tax and taxing to give, this way and that way—every stratagem is used which can be invented in order to carry favourite grants, and thus we proceed from day to day by this system of combination and unprincipled collusion. [Cries of ‘Order, Order!’] Honourable members may cry order as much as they please, it is true, and I care not who knows it—let it go forth to the country at large. This system is what the honourable and learned member for Gloucester [Mr. End] denominates ‘the glorious old principles of our forefathers,’ which should be held as dear as life itself. It is not now as in times gone by, when the legislative council and executive council were one, and consequently we cannot now take the initiation of money grants. This left the whole power in the hands of the assembly; and now, with the report of the committee of finance before us, His Excellency’s messages, petitions and everything else,

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there is not one honourable member around these benches can tell me within five thousand pounds of the amount to be asked for, much less within ten thousand pounds of the amount that will be granted during the present session; and yet, here we are in committee of ways and means for raising a revenue. But it will never answer to have too much information upon this point—if we knew exactly how far we could go and no farther—I perhaps would lose my grant, or, another honourable member might lose a grant; this is the system that is pursued. I have held a seat here for twelve years and know the ‘ropes’ pretty well.”

In the following year there was another discussion on the initiation of money grants, arising out of a despatch which had been received from Earl Grey, then colonial minister, in which he referred to the laxity of the system by which money was voted in the New Brunswick legislature without any estimate, and suggested that the initiation of money grants should be surrendered to the executive. This proposal was fiercely opposed, and all the forces of ancient Toryism were rallied against it, one member from Queens County, Mr. Thomas Gilbert, going so far as to apply to the advocacy of the old rotten system the soul-stirring words contained in Nelson’s last signal at Trafalgar, “England expects that every man this day will do his duty.”

In 1850, the last year that Mr. Wilmot sat in the House of Assembly, the matter came up again on

END'S RESOLUTION

a resolution moved by a private member. This was met by an amendment moved by Mr. End, of Gloucester, in the following words:—

“WHEREAS, the right of originating money grants is inherent in the representatives of the people who are constitutionally responsible to their constituents for the due and faithful user of that right; therefore,

“*Resolved*, As the opinion of this House, that the surrender of such right would amount to a dereliction of public duty and ought not to be entertained by the House of Assembly.”

This was carried by a vote of sixteen to eleven. The three members of the government who sat in the House, one of whom was Mr. Wilmot, who had joined it in May 1848, voted with the minority. It was not until the year 1856 that a resolution was passed by the House of Assembly conceding to the executive the right of initiating money grants, and this was carried by a majority of only two in a full House. The first estimate of income and expenditure framed by a New Brunswick government was not laid before the House of Assembly until the session of 1857.

CHAPTER VIII

THE DEMAND FOR RESPONSIBLE GOVERNMENT

WHEN Mr. Wilmot first entered the House of Assembly, many of the members were office-holders and therefore depended on the goodwill of the governor for their positions. At the session of 1842, a bill was introduced for the purpose of putting an end to this evil, in which it was declared that any member of the House of Assembly who should accept the office of executive councillor or any office of profit or emolument under the Crown should be incapable of taking or holding his seat in the General Assembly while in such office, unless reëlected after acceptance thereof. An amendment was moved to exempt executive councillors who did not hold any office of emolument from the provisions of this section, but it was lost by a close vote. Mr. Wilmot voted for the amendment on the ground that a man who was merely an executive councillor without office, and who received no emolument as such, should not be required to go back to the people for re-election. The bill, nevertheless, was passed by a full House, but it was disallowed by the home authorities on the ground that it was not in accordance with British precedents. The colonial secretary

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said, "This Act as actually drawn would therefore seem to establish a principle of great importance as well as novelty—the principle, namely, that the Crown may not select its own confidential advisers from amongst representatives of the people unless the person so chosen should be willing to hazard a new election. How far it is wise to erect such a barrier between the executive government and the popular branch of the legislature would seem to be a matter well meriting serious consideration." In the same despatch, the propriety of seats in the assembly being vacated for the same reasons which would vacate seats in the House of Commons was fully conceded. The stand taken by Wilmot in regard to this subject was therefore the one which was approved by the home government and was further endorsed by subsequent legislation. Yet it was not until 1849 that the Act was passed which finally settled the question, and required members of the legislature accepting office to vacate their seats in the House of Assembly and go back to their constituents for reëlection.

Sir William Colebrooke had not been a popular governor since the appointment of his son-in-law to the office of provincial secretary. The House of Assembly, therefore, was disposed to watch his conduct very closely and to criticize actions which perhaps would not have attracted so much attention under other conditions. During the session of 1846, it was shown that he had appropriated a portion of

THE GOVERNOR CENSURED

the surplus civil list fund, amounting to about three thousand pounds, for the purpose of defraying the expenses of surveying Crown lands in Madawaska.¹ This money was taken by the order of the colonial secretary, Lord Stanley. Thus it appeared that, although the province was supposed to have the control of the territorial revenue, the British government assumed the right to dispose of a portion of this revenue without the consent or authority of the House of Assembly. The conduct of the governor in connection with this matter was censured in a strongly worded resolution which was passed by the House of Assembly almost unanimously.² The time had gone by when the

¹ This occurred during the time of the "rump" government composed of Messrs. Simonds, Allen and McLeod, the members of the executive who refused to resign at the time of the Reade appointment.

² The following resolutions which were moved by Mr. Partelow were carried in the House of Assembly by a vote of twenty to two:

"1st. *Resolved*, That this committee deeply regret that His Excellency the lieutenant-governor in council should not have felt himself authorized to communicate to the House the despatch of the Right Honourable the Secretary of State for the Colonies, of January 5th, 1845, relative to the appropriation of the surplus civil list, in answer to the address of the House of Assembly of March 14th, 1845, whereby the House was prevented from representing, by an humble and dutiful address to Her Majesty, that such appropriation was not in accordance with the despatch of the Right Honourable the Secretary of State for the Colonies of August 31st, 1836.

"2d. *Resolved*, As the opinion of this committee, that any funds necessary to carry out the fourth article of the Treaty of Washington, being a national treaty with a foreign power, ought not to be chargeable upon the funds of this province; and that the House should, by an humble and dutiful address to Her Majesty, pray that any appropriation made for that purpose from the surplus civil list fund may be refunded to the same."

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representative of the Crown could do as he liked with the public funds of the province, as had been the case in former years.

The legislature was dissolved in 1846 under the provisions of the Act which limited its term to four years. On the last day of the session Wilmot bade farewell to the members of the House, and stated that he did not intend to offer himself again for reelection. No doubt he was quite sincere in making this statement at the time, but he soon had reason to change his mind. The people of the county of York were unwilling to lose the services of the champion of their rights in the House of Assembly, so that he found it necessary to consent to be again nominated. He was returned at the head of the poll, and with him Mr. Charles Fisher, his colleague in two previous legislatures.

The general election of 1846 brought a considerable number of new men into the House,¹ and in point of liberality the new assembly was a slight improvement on its predecessor. The legislature met near the end of January in the following year. The government at that time consisted of only five persons, of whom two were members of the House of Assembly and three of the legislative council. It appeared that negotiations had been going on with some of the members of the Opposition for the purpose of filling up the vacancies in the executive council. Wilmot had been offered a seat in that

¹ See Appendix K.

ASSAILS THE GOVERNMENT

body, but made it a condition of his acceptance that he should go in with two of his friends, provided the council was filled up to the number of seven, or three, if filled up to the number of nine. This was not agreed to, so he remained outside the government.¹ During the first week of the session three new members were added to the government, one of them being the surveyor-general, Mr. Baillie, who had been elected a member of the House of Assembly for the county of York. The arrangements made were not satisfactory to Wilmot and his friends, and the government had to face what was practically a want of confidence resolution. It was moved by Mr. Fisher and was as follows:—

“*Resolved*, As the opinion of this House, that while it fully recognizes the accountability of the executive council to the assembly, it will expect that henceforth the provincial administration will, from time to time, prepare and bring before the legislature such measures as may be required for the development of the provincial resources and the general advancement of the public interests.”

In the course of the debate Wilmot spoke with great power and effect. The following report of his speech may serve to convey some idea of his manner and method as a public speaker:—

“The honourable gentleman might have spared himself the trouble of making the defence he did. I have heard that he was to be presented with a

¹ See Appendix L.

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gold medal for his admirable defence of that nearly extinct race—the old Family Compact. I see that I shall have to cross a lance with my honourable and learned friend [Mr. Hazen] politically. Yet I hope the same good feeling which has characterized the debate thus far will be continued. A great deal has been said about politics and political principles, but my political principles are not of yesterday—I have gleaned them from the history of my country, a country which we are all proud to own. Will any honourable member dare to tell me that because we are three thousand miles from the heart of the British empire the blood of freemen shall not flow through the veins of the sons of New Brunswick? If so, I have yet to learn the reason. Before I sit down I will endeavour to show my honourable friends what the distinction is between Liberals and Conservatives—what the Liberals have done, and what the Conservatives have not done. Now to the resolution. My honourable friend said yesterday that the resolution meant initiation of money grants. When this announcement was made I heard a shout from the direction of my honourable friend, Mr. Partelow, in a tenor voice, and an honourable member in the rear [Mr. Barberie] joining in a sort of falsetto accompaniment. I think my honourable friend [Mr. Hazen] is much to blame for having accused his honourable colleague [Mr. Woodward] with writing an article in a city paper. What, suppose he did write

SPEECH ON REFORM

it, do not some of the first noblemen and statesmen in England write for the papers? I will not deny that I have written for the papers myself some little squibs. But it is wrong to place an honourable member in the position where he will have to affirm or deny it. A great cry has been raised of a contemplated attack on the government, and, after all, it has turned out that their fears have been excited by a newspaper paragraph. The government has fortified all their outposts, and His Excellency and two aides have been on the lookout for the coming attack. At length my honourable colleague [Mr. Fisher] brought forth his resolutions when they said to each other, 'Why, this doesn't mean anything; there is no attack.' But they slept over it one night, cracked some wine upon it, and while sitting under the mahogany they said—'Hazen, there is something in these resolutions of Fisher's, depend upon it—some hidden meaning—what shall we say it is? what will we call it? we must give them some ugly name, or they will pass.' 'Oh,' said Hazen, 'I have it—initiation of money grants—that'll do; I'll just go down to the House and cry out "mad dog," "initiation of money grants"; members will become alarmed, and we'll succeed in defeating them.' But the honourable member from St. John [Mr. Jordan] has made the most wonderful discoveries; he has taken a peep from the lookout station at the enemy; he has looked through a political micro-

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scope, and has discovered more than the commander-in-chief himself. 'Why,' says he, 'there's everything there—I see "free trade" and "protection" both, and let me see—I—there's the "Board of Works," too; and round on the other side I see "Municipal Corporations."' I will endeavour before I sit down to prove that the arguments of my honourable friend Mr. Hazen are fallacious. He has been developing at a great rate yesterday; he was not asked to develop the money, but to bring down such measures as would develop the provincial resources; this is the meaning of the resolution, and, had not my honourable friend become alarmed for the safety of the government, there is no man into whose hands I would sooner place the resolution. But he has chosen to put the construction upon the resolution which he has done, and other honourable members said, 'Oh, he knows what it means better than I do; he has cried "mad dog" and we'll follow him.' The government is not asked to bring in the revenue bill, or any other bill which involves the principle of money grants. All the resolution requires is, that they shall be prepared, at the opening of the session, with such measures as may be considered for the general welfare of the country, and not keep the assembly waiting two or three weeks for the motion of the government, as has been the case this session. Honourable members will recollect that there is a constituency behind them to whom they are accountable; but

RESPONSIBLE GOVERNMENT

they may resolve and re-resolve as they please. There is a spirit of inquiry abroad among the people, a political intelligence, which was not to be found a few years since when my honourable friend denounced responsible government as all nonsense! What was the case when responsible government was first talked of in this province? Who descended from their lofty eminence to warn the people to beware of these new doctrines? The old official Family Compact party—they who entrenched themselves behind the prerogative of the Crown in 1836, came down to the people and said, ‘We who have done so much for you—we who have watched over and guarded you, beware of that dreadful monster, responsible government.’ These are the people who call themselves Conservatives. What, I would ask, did they conserve? Everything but the good of the country; and, had the Conservatism of 1836 been carried out, an insulted people would ere this have risen in their majesty and would have shaken off the yoke of bondage under which they had been labouring.

“It has been said by honourable members of the government that there is no distinction between Liberals and Conservatives. If this is the case, why did they object to have me and two others take seats in the council because we were Liberals? Here is a question which I would like my honourable friends to answer. The Conservatives do not wish to see any power in the hands of the people.

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[Interjection from Mr. End—‘Not too much.’] The honourable member from Gloucester, Mr. End, has receded from his principles wonderfully; his speech yesterday was certainly a most extraordinary one. He said to the government in a most supplicating tone of voice, ‘Give me fair play—give me the appointment of all the bye-road commissioners, magistrates, sheriffs, and so on, in Gloucester, and I will support you; that is all I want.’ I will take care not to be misunderstood in these matters, I will not allow any man to be the exponent of my political principles. I believe departmental government to be inseparable from our institutions, but will oppose the immediate introduction of the whole system; I will bring it in step by step as the country is prepared for it. Some extraordinary notions are entertained as to the source from whence the power of the government is derived; the freedom of government does not come down from the Crown, it goes up from the people; and if the people are fit for these institutions they are fit for self-government. I have frequently said that they who get the people’s money shall do the people’s work. [From Mr. Partelow—‘Yes, that’s right.’] I will now come down a step further—what was the ease in 1837? I am not going to disclose any secrets this time—but will speak low. I wish to ask my honourable friend [Mr. Hazen] if, after the administration changed in 1837, the government had the cordial coöperation of the heads of departments? No!

THE PEOPLE SUPREME

There has been a counter-working going on—a constant endeavour to lead the government astray and place them in a wrong position, and my generous-hearted friend [Mr. Hazen] has to come down to this House and defend them. It is a political fact, that previous to 1841 the heads of departments in this province were in open hostility to the government. [From Mr. End—‘They could do no harm.’] If the departmental system were in operation, and their tenure of office depended upon their ability so to conduct the government as to merit the confidence of the assembly and the people, there would be none of this stabbing in the dark, and running off the track. It is, in my opinion, the only constitutional remedy for the good working of the government. These five gentlemen who have lately formed the mixed government, asked for departmental government when they signed the address to the queen; yet now they refuse to adopt it. I should like to know when they intend to graduate—does it depend upon the age of the country or the state of the atmosphere? The fact is, whenever the people of this country, through their representatives, choose to ask for it they must get it. In 1844 they ran to the rescue of the prerogative in Canada; but the very next year the same case came down to their own doors! The tune was changed then, and an address was prepared to the queen signed by the whole assembly except five. Why is this brought about—why is the tune changed so sud-

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denly? They at first said responsible government is not fit for a colony—the next cry was, it is not fit for New Brunswick, and finally they said, when they addressed the queen—we must have it. Mr. Roebuck called upon Lord John Russell to explain what responsible government was, which he has done [reads the speech as delivered in the British parliament], and, when they had first asked for it here, it was in full operation in Canada. My honourable friend [Mr. Hazen] has accused me of having receded; but I will now ask him to point out how I have done so? He has also said that I was brought forward at the last election by the Conservatives. True, but I was backed by all my old friends, and I told them if they took me, they must do so with all my former opinions—opinions which I never will give up. When they talk about there being no difference in political names,—there is a difference; those who have contended for Liberal principles have their names covered with obloquy. We ask for a constitution that, while it protects the queen upon the throne, throws, at the same time, its paternal arms around the helpless infant. This we ask for, this we want—the pure, the free, the glorious constitution of England; for this we have contended, for this the Liberals of New Brunswick have fought, and let them call us rebels who have nothing else to write about, I care not; we ask for a system that will give fair play to all—that will upset all Family Compacts, and give to the sons of

REFORM DEFEATED

New Brunswick their birthright, the benefit of free institutions and self-government. This is what we want, and I will not submit tamely to be called a rebel; I defy any honourable member to look at my political life and say where I have overstepped the bounds of the constitution? If I do live three thousand miles from the great body of the empire, still that empire sends its blood through the veins of every British subject. A son of New Brunswick has the same right to the benefit of her institutions as has a resident of London, and I will not submit to be cut off by any political manœuvring."

After a long debate, Mr. Fisher's resolution was defeated by a vote of twenty-three to twelve, which showed that the friends of Reform had still much work to do.

CHAPTER IX

THE VICTORY IS WON

THE session of 1848 was destined to be a memorable one in the history of responsible government in New Brunswick. It was evident that with the House as then constituted no progress could be made unless a change were brought about in the views of some of its members by outside pressure. In this instance the pressure came from the imperial government, which desired to bring the political condition of New Brunswick into line with that of Canada and Nova Scotia. In March, 1847, Earl Grey, the colonial secretary, addressed a despatch to Sir John Harvey, the governor of Nova Scotia, in which he laid down the principles which he thought should control colonial administration. The most important feature of this despatch was its declaration with reference to the composition of the executive council. With regard to office-holders in general, Earl Grey thought that they ought not to be disturbed in consequence of any change of government, but he was of opinion that a different rule should apply to such officials as were members of the executive council. On this point he adopted the language of Mr. Poulett Thomson (Lord Sydenham), who, in a despatch to Lord

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John Russell, written at Halifax, in the year 1840, said:—

“The functions of the executive council, on the other hand, are, it is perfectly clear, of a totally different character; they are a body upon whom the governor must be able to call at any or at all times for advice, with whom he can consult upon the measures to be submitted to the legislature, and in whom he may find instruments within its walls to introduce such amendments in the laws as he may think necessary, or to defend his acts and his policy. It is obvious, therefore, that those who compose this body must be persons whose constant attendance on the governor can be secured; principally, therefore, officers of the government, but, when it may be expedient to introduce others, men holding seats in one or other House, taking a leading part in political life, and above all, exercising influence over the assembly.

“The last, and in my opinion by far the most serious, defect in the government is the utter absence of power in the executive, and its total want of energy to attempt to occupy the attention of the country upon real improvements, or to lead the legislature in the preparation and adoption of measures for the benefit of the colony. It does not appear to have occurred to any one that it is one of the first duties of the government to suggest improvements where they are wanted; that, the constitution having placed the power of legislation

A MEMORABLE DESPATCH

in the hands of an assembly and a council, it is only by acting through these bodies that the duty can be performed; and that, if these proper and legitimate functions of government are neglected, the necessary result must be not only that the improvements which the people have a right to expect will be neglected, and the prosperity of the country checked, but that each branch of legislature will misuse its power, and the popular mind be easily led into excitement upon mere abstract theories of government . . . as the remedy for the uneasiness they feel.”

He concluded by expressing the opinion that the peculiar circumstances of Nova Scotia presented no insuperable obstacle to the immediate adoption of that system of parliamentary government which had long prevailed in the mother country.

A copy of this despatch was sent to the lieutenant-governor of New Brunswick and it was laid before the House in pursuance of an address which had been passed a few days before. It was understood that the principles laid down in this despatch would be equally applicable to the province of New Brunswick, and Mr. Fisher moved that the House should approve of them and of their application to New Brunswick. This resolution was carried by a vote of twenty-three to eleven, which was a complete reversal of the vote of the previous session.¹ Among those who voted for the resolution

¹ See Appendix M.

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were the three members of the government who had seats in the House of Assembly and who had been previously opposed to any such change in the political system. Thus the victory for responsible government was practically won, and it only remained to perfect the details.

Immediately after the prorogation of the legislature, a reorganization of the government took place,¹ Messrs. Baillie, Shore and Johnston retired and their places were taken by Messrs. Wilmot, Partelow, Fisher and Kinnear. Mr Wilmot became attorney-general in the place of Mr. Peters, recently deceased, who had filled that office for twenty years. Mr. Partelow became provincial secretary in place of John Simcoe Saunders. Mr. Kinnear, who had been made solicitor-general in 1846, now became a member of the government under the new system, while Mr. Fisher took his seat as a member of the government without office. Thus were the principles of responsible government vindicated and established in New Brunswick. The provincial secretary, the attorney-general and the solicitor-general became political officers subject to change with every change of government. The surveyor-general, Mr. Baillie, by resigning from the government escaped this condition for the time being, but it was not long before that office also became political, Mr. Baillie himself retiring with a pension in 1851.

¹ See Appendix N.

INFLUENCE OF COLONIAL OFFICE

Messrs. Wilmot and Fisher were much censured by their friends for becoming members of a government that was essentially Conservative and in which they were in a minority. But as the principles for which they had contended had been admitted and were now in a measure established, there seemed to be no reason why they should not assist in working them out. Wilmot as attorney-general certainly had greater opportunities of advancing the cause of Reform than as a private member, and he and Fisher working together were able to exercise a strong influence on the administration. In the following year, as has already been seen, a measure was carried voiding the seats of members of the assembly who became heads of departments in the government, or enjoyed any office of profit or emolument under the Crown, and this was all that was necessary to establish responsible government on a firm basis. There was indeed one other difficulty, the interference of the colonial office and the influence of the governor, who had been accustomed to govern the province largely by means of despatches. This influence was one which could only be got rid of by degrees, for the wise men of Downing Street always thought they knew much better what colonists required than did the colonists themselves. The colonial secretary undertook to dictate to the province as to the kind of tariff it should pass, and to refuse assent to the passage of bills by the legislature giving a preference to

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any particular county or granting bounties to fishermen or others engaged in any special calling. It was felt to be a hardship that the province was not permitted to give encouragement to any industry which it desired to assist, and so strong was this feeling that at the session of 1850, immediately after the receipt of a dispatch from Earl Grey disallowing the bill of the previous session granting bounties for the cultivation of hemp, a bill was introduced and carried by an overwhelming majority in the assembly appropriating three thousand pounds for bounties to fishermen. This bill was rejected by the council, so that the colonial secretary was spared the difficulty which would have been involved in being defied by the New Brunswick legislature. It was also felt to be a great hardship that, at a time when the colonies were being deprived of the preferential tariff they had so long enjoyed in the English markets, they should be debarred from entering into commercial arrangements with foreign nations. A series of strongly worded resolutions on this subject was moved by Mr. David Wark, and was well supported, although not carried. The language used by many of the speakers during the debate showed that the loyal feelings which had always distinguished the people of the province were being subjected to a severe strain by the policy of the British government. These interferences with provincial rights continued for many years after Wilmot had retired from

THE PORTLAND CONVENTION

public life, and therefore it is unnecessary to refer to them further.

Wilmot had but few opportunities during his active career as a public man of displaying his abilities outside of his native province. His fame as an orator was therefore mainly a local one, and the Portland Railway Convention of 1850 was the first occasion on which he was recognized as one of the best speakers on the continent. That great gathering of the railway and business men of the United States and Canada was assembled for the purpose of taking measures to secure a shorter ocean route to Europe than was afforded by steamships sailing from New York. It was thought that a better plan would be to run steamships from some port on the west coast of Ireland to a port on the east coast of Nova Scotia, a distance of about two thousand miles, and to connect the latter with New York by a line of railway. No one doubted at that time that this was a plan that was likely to succeed, and probably it would have done so if there had been no improvement in the construction of steamships. No one dreamed in those days that boats with a speed of twenty-five knots an hour and of twenty thousand tons displacement would be running to New York before the century was ended, and that the voyage to Liverpool would be reduced to less than six days.

The Portland Convention included many eminent men from the United States and Canada and not

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a few that could justly be described as orators, but it was universally admitted that in eloquence Attorney-General Wilmot, of New Brunswick, exceeded them all. The reporter of the proceedings of the convention stated, in the pamphlet afterwards published, that it was due to the speaker and to himself to say that "he had been entirely unable to give anything like a report of the remarks of Mr. Wilmot." The reporter also quotes the statement of another that "Mr. Wilmot delivered one of the most spicy, eloquent and enlivening speeches which he ever heard, which, while it kept the audience in the best spirits, was replete with noble sentiments commending themselves to the hearts of all present. His remarks were generally upon the moral, social and intellectual influences which would result from the contemplated work. No sketch would do justice to its power and beauty, its flashes of wit and humour."

The following report of Wilmot's great convention speech, although admittedly very imperfect, is given as almost the only example that survives of his eloquence:—

"I find myself in a new position in addressing a convention in a city, in a state, and under a government that is foreign to me, as far as citizenship is concerned. But I feel myself at home, for I am among those who derive their inheritance from the same common ancestry. I am, Mr. President, not a son of New England, but a grandson, and I can

WILMOT'S GREAT SPEECH

find the old gravestone which indicates the graves of my ancestors, in a pleasant village of Connecticut [cheers].

“We in the provinces came to this convention at your call. We have responded to your invitation and you have given us a brother’s welcome. Physiologists affirm that the exercise of the muscles tends to their enlargement and fuller development; and phrenologists affirm that the exercise of the different faculties develops in a corresponding degree the bumps upon the cranium. I would beg to add something to this category,—the exercise of benevolence and kindness enlarges the heart, and since I have been among you I have felt my heart growing big within me [cheers].

“I am delighted to see this day, and could I give expression to the emotions which swell up within me I would do so, but my power fails in the attempt, and I cannot presume to make a speech. We do not, however, meet to consult about California, where one hundred and twelve hour speeches are necessary, or about the admission of New Mexico into the Union. Our object is to effect an admission into the great railroad union, and on this question we admit of no ‘compromises.’ We go straight ahead in our purpose and the union will be effected [cheers].

“I know, Mr. President, it is a great work in which we are engaged. I know that it looks vast, if not impossible of achievement to those who

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have not studied its relations and its details, but those who look at it through the enlarged medium which its contemplation presents will find that difficulties diminish as its importance grows upon their vision.

“Look at the progress of similar enterprises among yourselves in the state of Maine, and other parts of New England, and then say whether anything is required of us but union of effort and faith in the result of our exertions. In prosecuting our work in this matter, we must have faith; but as faith without works is dead, let us put forth our exertions and go steadily forward to a speedy and glorious completion of our great enterprise [cheers].

“If the timid falter and the doubting hold back, there are others who will take their places and keep our ranks full. We have only to hold our position, and drive back the army of doubters, or opposers, who may resist our march. We must give them the same reception that General Taylor gave to the army of Santa Anna at Buena Vista. If opposed by superior numbers, or if on any part of the field there are those who hesitate, or hold back when a stronghold of the enemy is to be carried, I would repeat the order of General Taylor: ‘A little more grape, Captain Poor’¹ [tremendous cheers].

“It is written in the decrees of eternal Providence,

¹This is an adaptation of General Taylor’s words. John A. Poor was the chief promoter of the European and North American Railway and the chairman of the committee of arrangements of the Portland Convention.

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Mr. President, that we shall learn war no more; we may then go on side by side with glorious emulation for the cause of virtue and philanthropy throughout the world, striving who shall out-vie the other. How changed in every respect, now, is the condition of our race! How glorious the sight of two great peoples uniting as one, 'to draw more closely the bands of brotherhood, that yet shall make of all mankind but one great brotherhood of nations.' The sentiment of that resolution which embodies this idea is worthy of its author and of the American character; but it is also a sentiment to which the people of the British empire will respond [cheers].

"Sir, I found in the circular which invited us here this sentiment expressed, in terms which aroused to the fullest enthusiasm the mind of every man in the British provinces: 'The spirit of peace has at last prevailed—national animosities, sectional and political hostility have disappeared between the English races since the establishment of the boundaries of Maine and Oregon, and the contests of war have been succeeded by a noble and generous rivalry for the promotion of the arts of peace. The introduction of the steamship and the railway has made former enemies friends. National hostility has given way to commercial and social intercourse, and under whatever form of government they may hereafter exist, they can never again become hostile or unfriendly' [cheers].

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“To this sentiment I respond with all my heart. It is this sentiment that has brought us together. I know not who was the author of this circular, but whoever he may be, in the name of every Englishman—in the name of every American, sir, in the name of humanity, I tender him thanks [cheers].

“An enterprise aiming to accomplish such results, and which is in and of itself calculated to produce such results, cannot fail of success. The whole civilized world is interested in its accomplishment. There are some good old-fashioned people who think we are going too fast and too far in our railroad enterprises. We have, they say, lived and got along well enough without railroads, and now you seem to think that your temporal salvation depends upon it! Blot out your telegraphs, lay up your steamboats,—what darkness would come upon the world! We must form ourselves into a council of war for the purpose of combating these old prejudices, and, instead of being turned away from our objects, we will take stronger grounds than ever occupied before.

“Mr. President, we of the provinces have made up our minds no longer to remain quiet in our present condition. With all the fine natural advantages our country possesses, we make comparatively slow progress, and our province itself is scarcely known to the world. I shall be pardoned here for relating an anecdote to illustrate the truth of this remark.

WILMOT'S GREAT SPEECH

“In a recent visit to Washington upon official business, I had occasion to tarry a few days in the city of New York, and among the places that I visited with a friend was one of the colleges in the city. My friend introduced me to a learned professor as his friend, the ‘Attorney-general of New Brunswick.’ We entered into conversation on a variety of subjects, and he inquired when I came over to the city, and as to various matters going on in the neighbouring state. Seeing the mistake of the learned professor, I thought it hardly kind to mortify him by correcting it, and I answered in the best way I could, and took my leave; and to this hour, I suppose, the learned professor thinks he was talking with the attorney-general of the fine old state of New Jersey [tremendous cheers].

“Seeing that my own country itself was hardly known beyond its bounds, I felt a little concern that she should not always remain in this condition. I felt, as many of my friends and neighbours have long felt, that we must look at home for the means of making our province honoured and respected abroad. And we intend to open this line of railway entirely across the breadth of our province and bring ourselves into connection with the world [cheers].

“Mr. President, I cannot omit, in this connection, the expression of my profound regard for the American Union. It is the union of these states that has given you greatness and strength at home

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and the respect and admiration of the civilized world [long-continued cheers].

“The great interests of Christianity, of philanthropy and of liberty, throughout the world, depend upon the union of these states. We of New Brunswick, of Nova Scotia, and of Canada are deeply interested in its existence. If there is any question of the day that interests us more than all others, it is this very question of the perpetuity of the union. For myself, I think there should be passed a law providing that the man who would even conceive the idea of a dissolution of the union should be guilty of treason. In the sincerity of my heart, I say, perish the man who should dare to think of it [tremendous cheers]!”

With respect to railway legislation Wilmot was not in advance of many others in the province whose general political views were less liberal than his own. There was always a good deal of local feeling injected into the discussion of railway matters and Wilmot, who was a resident of Fredericton, incurred a good deal of censure for the ridicule which he threw on the proposal to build a railway from St. John to Shediac, which is now a part of the Intercolonial. As this railway brought the counties bordering on the Straits of Northumberland and the Gulf of St. Lawrence into easy communication with St. John, nothing is more clear than that of all the railways then projected in the province it was the one most likely to be useful and

HIS WORK IN LEGISLATION

profitable, but Wilmot apparently could not forget the fact that it did not touch his own county. His speech on this subject was made in the legislature before the meeting of the Portland Convention, and it is worthy of note that five-sixths of the Shediac Railway was to be used as part of the magnificent European and North American Railway scheme which was so much lauded by him in his Portland speech.

There is not much to be said in regard to the political life of Wilmot after he became attorney-general. His principal legislative achievement while he filled that office was an Act for the consolidation of the criminal law with regard to the definition of certain indictable offences and the punishment thereof. This was a useful but not a brilliant work, which many another man might have performed equally well. In the session of 1850, Wilmot carried a bill through the House of Assembly for the reduction of the salaries of the judges of the supreme court and some other officials, but this measure did not pass the legislative council. He had always been in favour of a low scale of salaries as best suited to the conditions which prevailed in the province. The scale had been fixed in 1836, when the casual and territorial revenues were placed under the control of the province, but an agitation soon afterwards commenced for further reductions. The imperial government would not consent to the reduction of any salary while the

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holder of the office lived, except in the case of the surveyor-general, whose duties had been decreased, but it agreed to a lower scale for future occupants of the offices. In this way the salary of the provincial secretary had been reduced from £1,599 11s. to £600; that of the surveyor-general from £2,019 4s. 4d. to £1,209 12s. 4d., and that of the auditor-general from £500 to £346 3s. The salaries of the judges, however, remained the same in 1850 as they had been in 1836, viz., £1,096 3s. for the chief-justice and £750 for each of the puisne judges. Wilmot's bill reduced these salaries to £700 for the chief-justice and £600 to each of the other judges. He also voted for a resolution in favour of making the legislative council elective, and that an address should be presented to Her Majesty asking her to consent to the passage of such a bill. A favourable answer was received from Her Majesty, but the scheme to make the legislative council elective was never carried into effect, in consequence of the opposition which it encountered in that body.¹

There is no doubt that the popularity of Wilmot seriously declined after he entered the government. This was very plainly seen at the general election which took place in June, 1850, when he narrowly escaped defeat, while his colleague, Mr. Fisher, was defeated, polling less than one-half the number of votes given to the candidate who was highest on

¹ See Appendix O.

THE GOVERNOR AND THE JUDGES

the poll. But, on the whole, the result throughout the province was favourable to the cause of Reform, and among those elected in York who stood higher on the poll than Wilmot were two members who held advanced views with respect to the amendment of the constitution.

Although responsible government had been conceded to New Brunswick, and it was admitted that public offices should be bestowed in accordance with the wishes of the people, the close of Wilmot's legislative career was marked by an event which showed that the old order of things had not entirely passed away. Chief-Justice Chipman, owing to failing health, resigned his seat on the bench in the autumn of 1850, and it became necessary to provide for a successor. A meeting of the executive council was called for the purpose of filling the vacancy, and six members of the council out of the eight who were present signed a memorandum to the effect that it was not advisable to appoint any person to the vacant office, but that such a division of the work of the judiciary should be made by the legislature as would secure the efficient discharge of the judicial duties by three judges, together with the Master of the Rolls. Wilmot was one of the persons who signed this memorandum, but on the following day he called on the governor and asked that his name might be withdrawn from it, he having in the meantime apparently changed his mind.¹ The governor, Sir Edmund Head, asked

¹ See Appendix P.

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the judges whether, in their opinion, three of them would be able to do the judicial business of the country, and received from them a strongly worded protest against any such alteration in the number of judges. Mr. Fisher, who was one of the members of the executive present at the meeting, submitted to the governor a paper in which he took strong grounds against the proposal to reduce the number of judges. Sir Edmund Head referred the matter to the home authorities, and they decided that the proposed change in the number of judges was not advisable. Moreover, they decided as to who should fill the vacant offices, and asked the governor to appoint Mr. Justice Carter to the position of chief-justice and to offer a puisne judgeship to the attorney-general, Mr. Wilmot, and if he refused it to the solicitor-general, Mr. Kinnear.¹ Mr. Wilmot accepted, and thus brought his political career to an end.²

¹ See Appendix Q.

² See Appendix R.

CHAPTER X

JUDGE AND GOVERNOR

THE opinion that was entertained of Mr. Wilmot by those who were closely associated with him in the work of Reform was well expressed by the late Mr. George E. Fenety, in his *Political Notes*.

"A great luminary," says Mr. Fenety, "set in semi-darkness on the day that Mr. Wilmot left the forum for the bench. He was the light of the House for sixteen years, the centre from whence radiated most of the sparkling gems in the political firmament. It was at a time of life (comparatively a young man) and a period when talents such as his were most wanted by his party and his country. Notwithstanding his supposed mistake in having joined a Conservative government, the Liberals were always willing to receive their old leader back with outstretched arms—ready to forgive and go along again with him over the old road, and, to a man, would have held to him had he made a stand against Sir Edmund Head, and told him—'thus far and no farther shalt thou go'."

Many of Wilmot's friends regretted that he should have accepted the office of judge on the conditions under which it was offered. They thought

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that as attorney-general he was entitled to the position of chief-justice, and that in consenting to take the puisne judgeship he had lowered himself.¹ It is hardly necessary to discuss a question of this kind at the present day. No doubt he had reasons of his own for retiring from the arena of politics. The work he had been doing for the public had placed a great strain upon him and interfered with his legal business to a very serious extent. He was never a wealthy man, and had therefore to consider his own future, while a position on the bench was one of honour and dignity which was regarded as worthy of acceptance by any member of the legal profession.

There was nothing worthy of note in the career of Mr. Wilmot as a judge. He was never considered to be a deeply read lawyer, but he filled the office of judge with dignity and general acceptance. His duties were not sufficiently arduous to prevent him from having leisure to engage in other lines of inquiry, for his mind was much interested in scientific questions. He frequently appeared on the lecture platform and always with success.

When confederation was accomplished, it was felt that of all the natives of New Brunswick he was the most worthy to be appointed its first lieutenant-governor under the new régime. Judge Wilmot himself was willing to accept the office as a fitting close to his long and active career as a public man;

¹ See Appendix S.

OTHER ACTIVITIES

but for some reason, which it is now impossible to ascertain, the appointment was not made until about a year after confederation. Judge Wilmot became lieutenant-governor on July 23rd, 1868, and continued to hold that honourable and important office until November 14th, 1873, when he was succeeded by the Hon. S. L. Tilley.

So far, we have been considering Wilmot as a politician and member of the legislature, but a very imperfect idea of his character would be gathered from regarding him merely in these capacities. He was a many-sided man, and had other interests which occupied his attention as much as, or more than, those public questions to which he devoted so much of his vigour. It has already been stated that his father was a member of the Baptist Church, and one of the founders of the church of that denomination in Fredericton. It does not appear that the son ever identified himself with that Church, or that while a youth he gave much attention to religious matters. It was not until after the death of his first wife, which took place in 1833, that he became affected by religious influences and began to attend the services of the Methodist Church, the pulpit of which was then filled by the Rev. Enoch Wood, a man of much ability and eloquence whose style of oratory was very impressive. Under his ministrations Mr. Wilmot became a convert, was baptized and joined the Methodist Church in Fredericton, and from that time until the close of his life

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he was a very prominent figure in it. He filled the office of superintendent of its Sunday School for upwards of twenty-five years, and was the leader of the church choir for thirty years. When he was appointed governor it was thought that he would give up these offices, but he still continued to fill them, and was superintendent of the Sunday School up to the day when his life came to an end. He always took a great interest in questions relating to the Bible, and frequently lectured on topics connected with it. He vehemently opposed the teachings of Darwin and others who followed the same line of inquiry, and he stoutly maintained that wherever the Bible and science were in conflict, science was in the wrong. He seems to have been, from first to last, an unquestioning believer in the doctrines of the Christian religion, and he viewed with great disfavour any one who ventured to question any part of its creed. As a lecturer he was eloquent and though discursive, always interesting. None of his lectures were written, so that to-day they are only a fading memory to those who heard them delivered. Though found acceptable at the time, it is hardly likely that, if delivered at the present day, they would enjoy so high a degree of popularity. People are not now so willing to accept sweeping assertions which are in conflict with the conclusions of scientific men who have devoted their lives to a patient study of the phenomena of life and the records of creation.

INTEREST IN MILITARY MATTERS

One of the most pleasing features of Judge Wilmot's character was his fondness for children. He was never so happy as when among the young people, and long after he became a judge he took an intense interest in drilling the schoolboys and instructing them in all martial exercises; indeed, he seemed to be quite as much devoted to this work as he was to any other of his numerous employments. When a very young man, he became an ensign in the first battalion of York County militia, and speedily rose to be captain. When the so-called Aroostook War¹ broke out in 1839 he was major of a company of rifles attached to that battalion, and he volunteered for active service at the front. His interest in military matters continued

¹The Aroostook War arose out of the unsettled boundary question between Maine and New Brunswick. There was a large area on the St. John River, the ownership of which was in dispute, and in 1839 the difficulty came to a head in consequence of the governor of Maine undertaking to solve the question in his own way by taking possession of the territory. Governor Fairfield, of Maine, sent eighteen hundred militiamen to the front and Sir John Harvey, the governor of New Brunswick, issued a proclamation asserting the right of Great Britain to guard the territory while it was in dispute, and calling on the governor of Maine to withdraw his troops. Fairfield denied the right to issue a counter proclamation and called on the state for ten thousand men. Sir John Harvey then sent Colonel Maxwell with the 36th and 69th Regiments and a train of artillery to the upper St. John to watch the movements of the militia. A large force of New Brunswick militia was also embodied and sent to the front. Fortunately, President Van Buren sent General Winfield Scott to Maine with full power to settle the difficulty. He got into a friendly correspondence with Sir John Harvey, which led to an understanding by which the troops on both sides were withdrawn and all danger of war averted. The boundary question was afterwards settled by the Ashburton Treaty.

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until a late period, and, in the first military camp organized in the province by the lieutenant-governor, the Hon. Arthur Gordon, in 1863, he commanded one of the battalions. If Wilmot had not been a politician and a lawyer, he might have been a great evangelist or a great soldier.

Judge Wilmot was very fond of flowers, and the beautiful grounds at Evelyn Grove, where he resided, were looked upon as the finest in the province. Nearly every visitor to Fredericton found his way to that charming place and was sure of a cordial welcome from the judge, who delighted to show strangers what he had been able to accomplish in growing flowers and rare plants. Not the least interesting feature of such visits was the conversation of the host, who abounded in knowledge of horticulture, and was always ready to give others the benefit of his information. It was in this lovely retreat that the last years of Mr. Wilmot's life were passed. When his term as governor expired, the government of Canada very properly gave him a pension as a retired judge. In 1875 he succeeded the Right Hon. Mr. Childers, as second commissioner under the Prince Edward Island Land Purchase Act. He was nominated as one of the arbitrators in the Ontario and North-West Boundary Commission, but did not live long enough to act in that capacity.

During the last two or three years of his life he suffered much from chronic neuralgia, which some-

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times prevented him from stirring out-of-doors. No serious result was anticipated, and he was generally able to take active exercise and engage in his usual routine of duty. On Monday, May 20th, 1878, while driving in his carriage with his wife, he complained of a sudden and severe pain in the region of the heart. He was at once driven home and a physician summoned, but in a few minutes he passed away. He had not quite completed his seventieth year. His death evoked expressions of regret and sympathy from every part of the province, and tributes of respect and admiration from many who resided in other parts of Canada and in the United States.

Judge Wilmot was twice married. His first wife, whom he married in 1832, was Jane, daughter of Mr. James Balloch, of St. John. She died very soon after their marriage, and in 1834 he married Miss Elizabeth Black, daughter of the Hon. William Black, of Halifax, and granddaughter of the Rev. William Black, who is regarded as the apostle of Wesleyan Methodism in the Maritime Provinces.

In estimating the character and achievements of L. A. Wilmot, regard must be had to the conditions under which the battle for responsible government was fought, and the peculiar difficulties he had to face. He had not only to contend against governors determined to use their power to the utmost, an immovable legislative council and a

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reactionary executive, but he had to attempt to inspire with something of his own spirit a House of Assembly which had but little sympathy with his views. That he did not accomplish more is less a matter of surprise than that he accomplished so much. With heavy odds against him, he contended for the rights of the people and the improvement of the constitution, and he lived to see the principles for which he had fought so firmly established in his native province that they can never be disturbed.

It was never his good fortune to be the leader and master of a government or to have a free hand in the work of legislation. We are therefore left in the dark as to what he might have accomplished under more favourable conditions. Yet there is but little doubt that, had he remained in public life, the progress of Reform would have been greatly accelerated, and that such important measures as the establishing of free schools would have been brought about much earlier than was the case without his vigorous support. The faults of Wilmot were those that belong to an ardent, enthusiastic and liberty-loving temperament. He hated injustice in every form, and in his denunciation of evil he was sometimes led to use stronger language than men of cooler feelings approved. In this way he aroused opposition and left himself open to attack. Yet it is doubtful whether the censure of his enemies was as injurious as the flattery of some who professed to be

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his friends, and who were ready to applaud whatever he said or did. Being accepted as a leader when a mere youth because he had made a few eloquent speeches, he missed the wholesome discipline which most men have to undergo before they achieve fame. He would have been a greater and wiser man if he had been spared the unthinking flattery which was too lavishly bestowed upon him. Yet, after all has been said by those who would seek to minimize his merits, the fact remains that this son of New Brunswick stood for years as the foremost champion of the rights of the people, and that it is impossible to deny him a place among the great men who have assisted to build up Canada.

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A

On August 31st, 1836, Lord Glenelg wrote to the Lieutenant-Governor that he had received the address from the Assembly and had been in communication with Crane and Wilmot. He commended the spirit of the address and gave certain instructions. In future the governor must always consult the Executive Council and follow their opinion in the administration of the Crown Lands, and the "most prompt attention should be paid to any addresses which may be presented to you by the House of Assembly for information on subjects connected with the receipt and expenditure of the Casual and Territorial revenue." Henceforth within fourteen days of the opening of the session a detailed account of all receipts and expenditures must be prepared with the utmost clearness and precision. He goes on to say that he is willing to surrender all the revenues in return for a civil list of £14,000 sterling on two conditions. The Assembly may control the net, not the gross, income and they must accept the laws and customs of the British House of Commons in regard to government expenditures.¹

Five days later Glenelg wrote that he had submitted a draft of his first despatch to Crane and Wilmot and afterwards discussed it with them. He was now willing to make further concessions.²

By the tenth of September he had determined on a new policy. He was willing to surrender the casual and territorial

¹ Canadian Archives, N. B. Despatches, Glenelg to Campbell, August 31st, 1836.

² *Ibid*, Glenelg to Campbell, September 5th, 1836.

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revenues in return for a civil list. At the same time he wished to take advantage of the situation in New Brunswick to influence opinion in the other American colonies. "Considerations applying not to New Brunswick alone, but to the British North American Provinces also, require that no time should be lost in giving general publicity to the proposals which you are authorized to make. You will, therefore, take the necessary measures for convening the General Assembly for the despatch of business immediately on your receipt of this despatch." His views have only been adopted "after a full and careful investigation." "It is desirable that they should be fully known and clearly developed to the Legislative Bodies of New Brunswick and through them to the Legislatures of the other British North American Provinces." For the present he is busy drawing up the details with Crane and Wilmot "for securing the Civil List and for the regulation of the sale of the Crown Lands." These are not concessions "reluctantly made by His Majesty's government," but, "measures they regard as conducive, if not essential, to the welfare of the province and to the maintenance of a good understanding between the inhabitants of New Brunswick and the parent state."¹

In Upper Canada Sir Francis Bond Head was still exulting over his recent victory in the elections. To him Lord Glenelg wrote sending copies of the despatches he had sent to Sir Archibald Campbell. He wanted the legislature of New Brunswick to meet first and so influence opinion in the two Canadas and in Nova Scotia. "I have every reason," he wrote, "to anticipate from the legislature of New Brunswick so distinct and cordial an affirmation of the great constitutional principles which have been controverted elsewhere, as may largely contribute towards the more easy and satisfactory settlement of the questions in debate in Upper

¹ Canadian Archives, N. B. Despatches, Glenelg to Campbell, September 10th, 1836.

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and Lower Canada." The great difficulty was in the latter province, where Lord Gosford was doing his best to charm order out of chaos. By the same length of time that the New Brunswick Assembly preceded the meeting of the Upper Canadian Assembly he wished the latter to precede the meeting of the Assembly of Lower Canada. He thus hoped to get "another most important declaration . . . in favour of constitutional principles" of which Lord Gosford might be able "to make a most important use."¹

The Colonial Secretary, however, met opposition from the lieutenant-governors of both Upper Canada and New Brunswick. Sir Francis Bond Head thought Lord Glenelg was ready to sacrifice everything that had been gained in the recent election and protested in a most emphatic fashion.²

On October 31st, Lord Glenelg sent the Lieutenant-Governor of New Brunswick the copy of a bill dealing with the Civil List and authorized him to give his assent if the bill was passed in the form submitted, or "even if expressed in other terms which shall introduce no substantial alteration."³

B

Lord Glenelg had no sympathy with Sir Archibald Campbell's objections to the bill as passed. He thought the Assembly had been most reasonable. "They carry still further their frank and liberal confidence in His Majesty's government."⁴ At the same time he did not question the honesty of the Lieutenant-Governor's objections. On January 6th, 1837, Sir Archibald Campbell asked leave to

¹ Canadian Archives G. 78, Glenelg to Head, September 30th, 1836.

² Sir Francis Bond Head, a *Narrative*, page 159.

³ Canadian Archives, N. B. Despatches, Glenelg to Campbell, October 31st, 1836. The Lieutenant-Governor, however, raised difficulties (as recorded in the text).

⁴ Canadian Archives, N. B. Despatches, Glenelg to Harvey, April 6th, 1837.

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resign if his action was considered objectionable.¹ Lord Glenelg saw no reason for calling this conditional resignation into effect.² On January 29th, the Lieutenant-Governor wrote "to solicit most respectfully and unconditionally that I may be allowed to retire from the charge of this government."³ This time his resignation was accepted. "My conviction of the sincerity of your intentions precluded me, even when differing from your views, from accepting the conditional resignation which you had previously placed in my hands."⁴

C

The passing of the Civil List Bill ended all agitation in New Brunswick. At a time when the discontent in the Canadas had ended in rebellion Sir John Harvey could write the following letter to the Colonial Secretary: "I have the high gratification of reporting generally that nothing can be more satisfactory than the state of the Province as respects the peace, good order, loyalty and contentment which have been everywhere exhibited during a period, when, if disloyalty and discontent had existed, it is natural to suppose that the indications of such feelings would not have been altogether repressed. . . . But by the boon, so graciously and opportunely conferred upon this province by His late Majesty in the surrender to the control of the Casual and Territorial Revenues of the Crown in exchange for a Civil List, every ground of dissatisfaction and shadow of complaint were at once removed, and it is now a common saying that it is in vain to search for a grievance. . . . The members of both branches have shown

¹ Canadian Archives, N. B. Despatches, Campbell to Glenelg.

² Canadian Archives, N. B. Despatches, Glenelg to Campbell, March 2nd, 1837.

³ Canadian Archives, N. B. Despatches, Campbell to Glenelg, January 29th, 1837.

⁴ Canadian Archives, N. B. Despatches, Glenelg to Campbell, March 31st, 1837.

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themselves disposed to meet the suggestions of the Executive Government and to make provision for every branch of the public expenditure in a spirit of the utmost liberality."¹

Harvey's letters to Lord Durham throw much light upon conditions in New Brunswick. He was quite as emphatic as the High Commissioner in his denunciation of the "Family Compact." He wrote that he had the "best reason for believing (I might say for knowing) that their utmost efforts have been made and still are used to embarrass me at every step and to bring my administration into discredit."² Durham had suggested an Executive Council of five. Harvey wrote that he had had recourse to such a council immediately after his entrance upon office. "It is to the valuable aid and agency of that body, consisting of a committee of five of Her Majesty's Executive Council and including in its numbers three members of the popular branch of the legislature, that the success which has hitherto attended that administration is in my opinion chiefly to be attributed." . . . They "have in effect constituted a kind of committee of good understanding betwixt the House of Assembly and myself, the effects of which have been most advantageous to the interests of Her Majesty's service and those of the Province committed to my superintendence."³

Enthusiastic as Harvey was for Durham's report, he believed that a modification of his plan of responsible government was necessary. "Give the governor the absolute nomination of certain principal officers of the government as well as his council—not only leave their selection to him but let their continuance in office depend wholly upon his will, and make *him* responsible for carrying on the

¹ Canadian Archives, Durham Papers, Section 3, Vol. I, Part 1, page 178, Harvey to Glenelg, May 18th, 1838.

² Canadian Archives, Durham Papers, Section 3, Vol. II, Part 2, page 979, Harvey to Durham, August 7th, 1839.

³ Canadian Archives, Durham Papers, Section 3, Vol. II, Part 1, page 378, Harvey to Durham, August 16th, 1838.

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government in a manner satisfactory to the people and through majorities of the popular branch of the legislature.”¹ Harvey was thus in favour of the system as worked out by Lord Sydenham—responsible government but the governor made responsible.

D

The Assembly wished to reduce Mr. Baillie’s salary. The lieutenant-governor wished to see his office of surveyor-general held on a political tenure. The office could then be given to a member of the Executive Council who would thus be kept in Fredericton and so enable the governor to summon a quorum of the council whenever necessary. As Colebrooke pointed out to the colonial secretary not a sufficient number of the council were office holders to make this possible. They lived in various parts of the province and met but once a month, “although the affairs of the government really needed daily attention.”

The home government however were unwilling to dismiss or even reduce the salaries of officials who had held office under the old dispensation. To make any change seemed like a breach of faith. At the same time the Assembly could not be induced to provide pensions such “as would enable the government to do justice to old and meritorious servants of the public.”² It was not until 1851 that the Assembly finally voted Mr. Baillie a retiring allowance of £500 currency.³

E

The question that most interested the province in 1842 was not so much any abstract question of reform, but the

¹ Durham Papers, Section 3, Vol. II, Part 2, Page 979, Harvey to Durham, Aug. 7th, 1839.

² Canadian Archives, N. B. Despatches, Colebrooke to Stanley, December 13th, 1842.

³ Canadian Archives, N. B. Despatches, Head to Grey, May 10th, 1851.

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financial state of the country. To such an extent was this the case that many members of the Assembly wished to postpone the appeal to the electorate.¹

In 1836 Lord Glenelg had at first insisted that the English practice should be adopted in New Brunswick of allowing expenditures only when recommended by the executive. This course, however, had not been adopted and any member of the Assembly could propose money grants. The abuse was the greater as the province had no system of municipal government and experience showed that Lord Stanley was right when he wrote that "nothing tends more to corrupt and lavish expenditure than the application of public money to local objects by a popular assembly."² The only audit was by a committee appointed by the Assembly itself, and as the governor wrote it was almost impossible to discover the general state of the public finances.³ The Colonial Secretary was of the opinion, however, that it would not be wise to interfere. He thought it best "to leave the present system to work out its full inconvenience as the only chance of inducing the people of New Brunswick hereafter to acquiesce in the proposed change."⁴

F

The electors voted against the government chiefly because of financial embarrassment of the province. They feared increased taxation. This was not strange as the warrants of the province had depreciated twenty and even thirty per cent.⁵

¹ Canadian Archives, N. B. Despatches, Colebrooke to Stanley, December 13th, 1842.

² Canadian Archives, N. B. Despatches, Stanley to Colebrooke, June 30th, 1842.

³ Canadian Archives, N. B. Despatches, Colebrooke to Stanley, September 13th, 1842.

⁴ Canadian Archives, N. B. Despatches, Stanley to Colebrooke, November 2nd, 1842.

⁵ Canadian Archives, N. B. Despatches, Colebrooke to Stanley, March 25th, 1843.

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G

Early in the session "the resolutions of the House passed by large majorities fully attested a want of confidence" in the Executive Council. They thereupon placed their appointments at the disposal of the governor. After first making an attempt to strengthen the Council by two new appointments the governor decided to accept the resignations of Black, Shore, Robinson, Odell, and Crane. Three of the old members remained, Saunders, Simonds, and Cunard. The four new appointments were Johnston and Chandler from the Legislative Council, and Hazen and Wilmot from the Assembly. However, since Johnston and Chandler along with the three old members would form a quorum for the transaction of business, it was thought best that Hazen and Wilmot should not vacate their seats in the Assembly till the close of the session.¹

H

In a long despatch to Stanley, Colebrooke gave his account of the events caused by the death of the provincial secretary and the appointment of his successor. Immediately after the death of Odell, Wilmot called on the governor and intimated that he would withdraw his support from the government and agitate the question in the Assembly unless the office of provincial secretary was made political. The new appointee must have a seat in the Assembly and in the Council and hold his office subject to responsibility to the popular house. The governor said he had no authority to make such a change, that Lord John Russell's despatch of October 16th, 1839, was only intended to render the official servants more dependent on the government than they had been before. After several further interviews, the governor

¹ Canadian Archives, N. B. Despatches, Colebrooke to Stanley, March 25th, 1843.

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decided to appoint his son-in-law to the vacant office. Before doing so he had consulted his council and found that they were evenly divided as to the advisability of the appointment. Hazen, Johnston, and Chandler joined Wilmot in opposing it, while Simonds, Cunard, Saunders, and Montgomery were in favour. At a council meeting on January 30th, Hazen asked on behalf of himself and Wilmot how they were to answer certain questions in the Assembly. "In consequence a discussion arose in which Johnston, Chandler, Hazen and Wilmot tendered their resignations." On this occasion Wilmot joined the three former in objecting on personal grounds to Reade's appointment. The governor thought that Wilmot had no right to change his position and asked him to record his objections. In this written memorandum (given in the text) Wilmot made his original demand for a political appointment subsidiary to the objection as to the person appointed. In place of the four councillors who had resigned the governor appointed Colonel John Allan and William MacLeod from the Assembly and Solicitor-General G. F. Street from the Legislative Council.¹

I

When the question of the Reade appointment came before the Assembly an unsuccessful attempt was made to have the House go on record as being in favour of responsible government. On February 13th, the House went into a committee of the whole to consider the state of the province. After the usual preamble, in which it was stated that "the principal if not the sole reason" for the recent resignation of the four councillors was their opinion "that the appointment of Alfred Reade, Esq., to the office of Secretary of the Province was an act of injustice towards many individuals resident in this colony," a resolution was proposed censuring

¹ Canadian Archives, N. B. Despatches, Colebrooke to Stanley, February 25th, 1845.

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the appointment, and stating in very weak terms the principle of government responsibility. Two amendments were then proposed stating the principle more emphatically. The second amendment was the stronger, although even it did not attempt to go beyond what Lord Metcalfe was willing to grant in Canada. The amendment cited the answer of the Governor-General to the district council of Gore in which Lord Metcalfe said that he intended to conduct the government in accordance with the four resolutions passed by the Canadian parliament in September 1841. (The Harrison-Baldwin resolutions). These four resolutions were then cited in the New Brunswick amendment.

The New Brunswick House, however, was not prepared to support even such a moderate statement of the new principle. The second amendment was defeated by a vote of 15 to 18. The House followed this up by defeating the first amendment and the original resolution. Wilmot was in the minority on all three occasions. The resolution that finally did pass by a vote of 19 to 13 was "that the recent appointment of Alfred Reade, son-in-law of His Excellency the Lieutenant-Governor, a gentleman possessing no claim to so distinguished a mark of the Royal Patronage, to the important and lucrative office of Provincial Secretary, is an act of great injustice to many individuals resident in this colony, whose zeal and ability in the Public Service have well entitled them to the confidence of the government and the people, and is contrary to the wishes and feelings and the opinions of His Majesty's loyal subjects in this province."¹

A week later the Assembly passed a resolution that the present executive council did not possess "the confidence of this House nor of the country at large."²

The governor refused to submit. He perceived that it

¹ Journal, N. B. Assembly, February 13th, 1845, pages 89-91.

² Journal, N. B. Assembly, February 20th, 1845, page 127.

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was "a question of such vital importance to the province, the authority of the Crown, the liberties of the people, and the preservation of the connection of the Provinces with the Parent State" as to necessitate its reference to the imperial government.¹ He also wrote to the Colonial Secretary that he believed the electorate would support him if they were given the opportunity to decide on the question.²

J

The new council had decided on an appeal to the country when the despatch cancelling Reade's appointment arrived. Under the circumstances they felt that not only was an election impossible but that they themselves must resign. The governor had the greatest difficulty in getting another council together but was finally able to make a provisional arrangement. Johnston, Chandler and Hazen undertook to see the governor through the session. This they did with the aid of Colonel Shore (who had retired in 1843) and the Attorney-General.³

K

The Assembly was dissolved on September 16th, 1846. Of the thirty-eight men elected, eighteen were new members.

L

Wilmot was the first person to whom a seat was offered in the executive council. After "much deliberation" he declined to rejoin the government "unless four professing his own opinions, whom he would be prepared to nominate,

¹ Canadian Archives, N. B. Despatches, Colebrooke to Stanley, February 25th, 1845.

² Canadian Archives, N. B. Despatches, Colebrooke to Stanley, February 27th, 1845.

³ Canadian Archives, N. B. Despatches, Colebrooke to Gladstone, February 26th, 1846.

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were appointed in a cabinet of nine." Wilmot was thus willing to do what Howe did in Nova Scotia in 1840, but what Baldwin was unwilling to do in Canada in 1841. The Lieutenant-Governor, however, refused to agree to Wilmot's conditions. He considered it neither necessary nor desirable but likely to lead to party dissension. He accordingly made three more provisional appointments to his "provisional" council of 1846.¹

M

An amendment "that the tenure of Public Offices in this colony should depend on official integrity, talent and independence, rather than on the achievement of Legislative popularity" was defeated by a vote of 6 to 28.²

N

Saunders, the Provincial Secretary, had been appointed in 1845, and so came under Russell's despatch of October 16th, 1839. He was, however, given the office of Clerk of the Crown on Circuit. Baillie had been appointed before 1839 and was therefore allowed to retain his office of surveyor-general. The governor was most anxious that Wilmot should be included in the council. "I have found that the member of the Assembly to whom most weight is attributed as a speaker and as a debater is Mr. Lemuel A. Wilmot. . . . Mr. Wilmot's weight in the Assembly would make his assistance most valuable to the government and it would be difficult to form a stable administration for the province in which he did not take a part. . . . Mr. Wilmot is well aware of the position he holds at the present moment, he looks upon himself as the persevering and consistent advocate of those principles of responsible government

¹ Canadian Archives, N. B. Despatches, Colebrooke to Grey, February 26th, 1847.

² Journal, N. B. Assembly, February 10th, 1848, page 185.

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which have been recognized in Her Majesty's government at home and he expects to reap the benefit of that consistency."

Another member of the Assembly the governor was anxious to include in the council was Mr. Charles Fisher. "His principles are such as to ensure his cordial coöperation with Mr. Wilmot."¹

O

The Lieutenant-Governor believed that the legislative council ought to be made elective.²

P

The council discussed the situation caused by the resignation of the Chief-Justice for three days. It was only then that six of them, including Wilmot, signed a memorandum recommending that no appointment should be made. The council then disbanded not leaving enough members in Fredericton to form a quorum. The next morning Attorney-General Wilmot called at Government House with a letter he had written the previous evening in which he withdrew his signature from the minute of the council.³

Q

Sir Edmund Head recommended that no reduction should be made in the number of judges, but that the senior judge (Judge Carter) should be appointed to the office of Chief-Justice and another puisne judge added to the bench. Head believed that Chandler deserved the office but knew that he would not accept it. This being so he thought that

¹ Canadian Archives, N. B. Despatches, Head to Grey, May 20th, 1848.

² Head to Grey, February 10th, 1851.

³ Canadian Archives, N. B. Despatches, Head to Grey, November 5th, 1850.

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the first offer ought to be made to Attorney-General Wilmot, although Solicitor-General Kinnear was of longer standing at the bar and had indeed already applied for the office.¹

R

The Executive Council protested very emphatically against Wilmot's appointment on the ground that it was contrary to the principles of responsible government. Of the original eight members concerned, Wilmot had become a judge and Harrington had resigned. Of the remaining six, five now signed a protest which they asked Head to transmit to the Secretary of State. Wilmot's appointment "even provisionally" without the previous advice or recommendation of any responsible Executive Council within the Province, the Committee cannot but consider as at variance with those principles of responsible government understood to be now in force in this province."² Fisher went further. Although he had been Wilmot's political supporter, and although he had always been in favour of the appointment of another judge, he now sent in his resignation. "The course pursued in filling up the vacancy occasioned by the resignation of the Chief-Justice, has left me no alternative consistent with my ideas of responsible government but respectfully to tender Your Excellency the resignation of my seat in the Executive Council."³

S

Head had considered the advisability of appointing Wilmot Chief-Justice. "If the council had decidedly and unanimously recommended such an appointment there would be much to be said in his favour." The council had,

¹ Canadian Archives, N. B. Despatches, Head to Grey, November 5th, 1850.

² An enclosure with Head's despatch to Grey, January 10th, 1851.

³ An enclosure in Head's despatch to Grey, January 10th, 1851.

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however, made no such recommendation; Judge Carter was quite competent, and there was the further consideration that while he was raised to the office of Chief-Justice his salary would be reduced by £50 currency (under the new schedule). The Assembly and the council had laid such great stress on economy in connection with judicial salaries that Head thought such a saving was not to be overlooked.¹

The council had complained that the governor's action was contrary to the principles of responsible government. In a despatch of November 6th, 1850, Head pointed out that it was "scarcely possible" to copy exactly the English system of parliamentary government "in a community of 200,000 people separated by long tracts of wilderness and forest." From an Executive Council of nine, five must be present to form a quorum. It was sometimes practically impossible to bring together even this minimum number. Only three members of the council held offices that kept them in Fredericton, although a fourth, Mr. Fisher, fortunately lived in the town. The other five members lived in Miramichi, Dorchester, Shediac, St. Stephen's and St. John. They received no pay as Executive Councillors beyond their expenses. It was therefore not strange if they wished to have as few council meetings as possible, and, when they did meet, were anxious to part. Head said he had every wish to work out the principles of responsible government and that the dispute over the judgeship would never have arisen if it had not been for the difficulties of summoning the council. On that occasion, four members of the council were in Fredericton, but no two held the same opinion. Under these practical difficulties the governor found it impossible to carry out "in any systematic way what people here understand by responsible government. I can only advance towards the principle by asking advice when I

¹ Canadian Archives, N. B. Despatches, Head to Grey, November 5th, 1850.

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can get it." One thing is clear. These might be difficulties in the actual working of the new system, but the theory was not in dispute. One such difficulty was removed the next year, when, in 1851, the Assembly voted Mr. Baillie a pension and so at last placed at the disposal of the government "this most necessary office" of Surveyor-General.

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SIR LEONARD TILLEY



SIR LEONARD TILLEY

From a photograph

THE MAKERS OF CANADA SERIES

Anniversary Edition

SIR LEONARD TILLEY

BY

JAMES HANNAY

*Illustrated under the direction of A. G. Doughty, C.M.G., Litt.D.
Deputy Minister, Public Archives of Canada*

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CHAPTER I

EARLY LIFE AND BUSINESS CAREER

THE political career of Samuel Leonard Tilley did not begin until the year that brought the work of Lemuel Allan Wilmot as a legislator to a close. Both were elected members of the House of Assembly in 1850, but in the following year Wilmot was elevated to the bench, so that the province lost his services as a political reformer just as a new man, who was destined to win as great a reputation as himself, was stepping on the stage. Samuel Leonard Tilley was born at Gagetown, on the St. John River, on May 8th, 1818, just thirty-five years after the landing of his royalist grandfather at St. John. He passed away seventy-eight years later, full of years and honours, having won the highest prizes that it was in the power of his native province to bestow.

In these days, when a man becomes eminent an effort is usually made to trace his descent from distinguished ancestors, but most of the early inhabitants of New Brunswick were too careless in such matters to leave much material to the modern maker of pedigrees. Sir Leonard Tilley was unable to trace his descent beyond his great-grandfather, Samuel Tilley. At one time it was thought that

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his first ancestor in America was John Tilley, who came over in the *Mayflower* in 1620, but a closer search of the records of the Plymouth colony reveals the fact that John Tilley left no sons. But there were persons of the name of Tilley in the Massachusetts Bay colony as early as 1640, and there seems to be no doubt that Sir Leonard Tilley's ancestors had been long in America. They belonged to the respectable farming class which has given the Dominion of Canada and the United States so many of their most distinguished sons. Samuel Tilley, the great-grandfather of Sir Leonard, was a farmer on Long Island at the time of the American Revolution. His farm was then within the boundaries of the present borough of Brooklyn, and the curious in such matters can find the very lot upon which he resided laid down upon some of the ancient maps of that locality. At the time the British occupied Long Island, after the battle which took place there in the autumn of 1776, resulting in the defeat of the Americans, the Brooklyn farmers were called upon to provide cattle for the sustenance of the troops. Samuel Tilley, being a loyal man and a friend of the government, complied, and for this he was made the subject of attacks by the disloyal element among his neighbours, and in the course of time was compelled to seek shelter within the British lines. The occupation of Long Island by the British during the whole period of the war made it secure enough for Samuel Tilley, as well

OF LOYALIST STOCK

as for all loyal men who lived in the vicinity of Brooklyn; but when the war was over it became necessary for him to seek shelter in Nova Scotia, the acts of confiscation and banishment against the Loyalists being of the most severe character. Samuel Tilley came to New Brunswick with the spring fleet, which arrived in St. John in May, 1783, and was a grantee of Parrtown, which is now the city of St. John. He erected a house and store on King Street, on the south side, just to the east of Germain, and there commenced a business which he continued for several years. He died at St. John in the year 1815. His wife was Elizabeth Morgan, who survived him for many years and died in 1835, aged eighty-four years.

Sir Leonard Tilley was not born when his great-grandfather died, but had a clear recollection of his great-grandmother, who lived for about four years after he came to reside in St. John. James Tilley, the grandfather of Sir Leonard, was also a grantee of Parrtown, he having purchased for a trifling sum, when a boy, a lot on Princess Street, which had been drawn by some person who was anxious to dispose of it. James Tilley was a resident of Sunbury County and a magistrate there for a great many years, dying in the year 1851. Sir Leonard Tilley's father, Thomas Morgan Tilley, was born in 1790, and served his time with Israel Gove, who was a house-joiner and builder. He spent his early days as a lumberman, getting out ship timber, his opera-

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tions being carried on mainly at Tantiwanty, in the rear of Upper Gagetown. He afterwards went into business at Gagetown, and kept a store there down to the time of his death, which took place in 1870. Sir Leonard's great-grandmother, on his father's side, was Mary Chase, of the Chase family of Massachusetts, she having come from Freetown, in that state. Sir Leonard's mother was Susan Ann Peters, daughter of William Peters, who was for many years a prominent farmer in Queens County, and a member of the legislative assembly. William Peters owned a large property and had one of the finest tracts of land possessed by any man in the province in his day. But he was unwise enough to sell it for the purpose of obtaining money with which to enter into lumbering with William Wilmot, the father of L. A. Wilmot, and, being unsuccessful in his operations, his whole fortune was swept away. The ancestors of William Peters were from New York state, from which they came with the rest of the Loyalists in 1783.

The house in Gagetown in which the future governor of New Brunswick and finance minister of Canada was born, is still standing and is now used as a hotel. Gagetown was at that period, and still is, one of the most beautiful places in New Brunswick. The river St. John flows in front of it, and Gagetown Creek, which is almost as wide as the river, laves its shores. The land in the vicinity is fertile, and fine old trees line the streets, giving

EARLY EDUCATION

an air of beauty and refinement to the locality. Sir Leonard was named after his uncle, Samuel Leonard Peters, and the latter was named after an English schoolmaster named Samuel Leonard, who was a great favourite with William Peters, the grandfather of the subject of this biography. Samuel Leonard, after leaving Gagetown, appears to have removed to Nova Scotia, and probably died in that province. When Sir Leonard was five years old he was sent to the Madras School in Gagetown, of which Samuel Babbitt was the teacher. He attended this school from 1823 until 1827, when the grammar school was instituted in Gagetown. The Madras school system was at that time in high favour with the people of the province, and these schools received large grants from the government, it being thought that this system was more advantageous than any other for the instruction of youth. This idea, however, did not prove to be universally correct, for in the course of a few years we find the legislature declaring that while they believed the Madras system suitable to towns and populous places, it did not answer so well in rural districts. Samuel Babbitt, the teacher of the Madras School, was clerk of the parish, and, according to the custom of that day, led the responses in church. The rector of Gagetown at this period was the Rev. Samuel Clark. The teacher of the local grammar school which young Tilley attended from 1827 to 1831 was William Jenkins, a graduate of

SIR LEONARD TILLEY

Dublin University. Jenkins was a very severe man, and believed in the doctrine that he who spares the rod spoils the child, and Sir Leonard had a very vivid recollection of the vigour with which he applied the birch. He removed from Gagetown shortly after 1831, and took up his residence in Quebec, where he conducted a large school for many years, dying about the year 1863. Sir Leonard, after he had become a well-known political character and a member of the government of New Brunswick, had the pleasure of paying him a visit some time in 1858.

An interesting incident occurred in 1827, at the time young Tilley commenced to attend the grammar school. Sir Howard Douglas, who was then governor of New Brunswick, paid a visit to Gagetown and was the guest of Colonel Harry Peters, the speaker of the House of Assembly. While the governor and his host were walking through Gagetown, they met young Tilley and a son of Harry Peters returning from school, and the boys were introduced to His Excellency, who presented each of them with a Spanish quarter-dollar. Sir Leonard could remember and often spoke of the appearance of Sir Howard Douglas, dressed in a blue coat with brass buttons, a fine-looking gentleman, with a pleasant face and a kindly smile. Little thought the then governor of New Brunswick that the boy to whom he was speaking, a lad of nine years of age, would fifty years

ENTERS ON BUSINESS LIFE

later sit in his own chair in the government house.

Young Tilley was not the kind of youth likely to be satisfied to reside all his life in Gagetown. Other boys of less ambition might be content to settle down on the farm and to fulfil their destinies within the comparatively limited sphere of action which that little town in Queens County afforded, but he had within him longings for a higher destiny than he was likely to attain as a resident of a rural district.

Young Tilley came to St. John in May, 1831, at the age of thirteen. He at once entered the drug-store of Dr. Henry Cook, as a clerk, it being the fashion of those times for medical men to have a dispensary in connection with their professional practice, so that they could give advice, and dispense their own prescriptions with equal facility. He continued as clerk with Dr. Cook until February, 1835, when he entered the service of William O. Smith, who, in later years, was mayor of St. John. It was while a clerk with Smith that Tilley became a member of the St. John Young Men's Debating Society, an organization which, if it has no other claim to the remembrance of posterity, at least has that of giving one distinguished statesman to British America, and a governor to New Brunswick. It was in this society that he made his first attempt at public speaking, and it may be said that from the very beginning he showed

SIR LEONARD TILLEY

a remarkable aptitude for debate and public discussions.

In December, 1837, he took one of the most important steps of his life in espousing the cause of total abstinence. Having taken up this movement, he threw his whole energy into it, and from that time down to the day of his death he was a consistent temperance man, and a strong advocate of the principle of total abstinence. It was, perhaps, this strong advocacy of the cause, of temperance, more than anything else, that brought him before the public as a suitable person to become a candidate for the House of Assembly, and led to his first election as a representative for the city of St. John in the local legislature thirteen years later. Certainly the fact that Tilley, from that time until the close of his public career, had always the support of the temperance societies, gave him a strength which he hardly would have obtained otherwise, and rallied around him a phalanx of friends, who, for fidelity to his interests and zeal for his political advancement, could hardly have been surpassed.

Tilley commenced business on his own account in 1838, before he had attained the age of twenty years, as a member of the firm of Peters & Tilley, and he continued a successful career until 1855, when he transferred his business to Mr. T. B. Barker, the founder of the present firm of T. B. Barker & Sons. It is unnecessary to say anything more in regard to Mr. Tilley's life as a business man

COLONIAL TRADE

than that it was a highly prosperous one. He showed so much energy and enterprise that when he entered political life he was comparatively wealthy. There is no doubt that if he had continued in business instead of devoting his energies to the service of the province and Dominion, he would have made far more money than he obtained as a politician.

The movement in behalf of free trade, which was changing the fiscal policy of the United Kingdom in the closing years of the first half of the nineteenth century, did not meet with much favour in New Brunswick, because it seriously affected the leading industry of the province. Colonial timber had long enjoyed a preference in the British market, but this preference had been seriously impaired by imperial legislation and was likely to be taken away altogether if free trade principles should prevail. Many remonstrances had been sent to the British government against the reduction or abolition of the duty on foreign timber which came into competition with the colonial product, but these remonstrances proved wholly unavailing, and it was seriously believed that the colonial timber trade would be destroyed. This led to the annexation movement of 1848, which affected all the provinces, while it also caused the formation of organizations pledged to resist the free trade movement. Tilley was in sympathy with these efforts to preserve colonial trade, and it was in conse-

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quence of this that he first made his entrance into political life.

At a meeting of the electors of St. John in favour of protection, which was held previous to the general election of 1850, Tilley was nominated as one of the candidates for the city of St. John. He was not present at the meeting and had no knowledge whatever of the intention of the electors to make such a nomination. A meeting was called a few nights later in Carleton to confirm the nomination, and at that meeting Tilley was present. He then made the strongest possible protest against the nomination, but the electors present would not take "No" for an answer, and he eventually consented to stand as a candidate, informing them at the same time that he had an engagement to be in Boston on the day fixed for the nomination, and could not be at the hustings on that day. Notwithstanding this statement they still persisted in his nomination, but as Tilley was absent in the United States, his nomination speech on that occasion was made by Joseph W. Lawrence, who afterwards was found among his strongest political opponents. At the general election of 1850 all the candidates elected for the city and county of St. John were avowed opponents of the government. Tilley was returned at the head of the poll, while W. H. Needham, who ran with him, was likewise elected. The members elected for the county were R. D. Wilmot, William J. Ritchie, John H. Gray and Charles Simonds;

GENERAL ELECTION OF 1850

while J. R. Partelow, Charles Watters and John Jordan were the three defeated candidates. The list of candidates for the city and county of St. John included two future governors, a future chief-justice of the supreme court of Canada and two other judges, to say nothing of the provincial secretary, Mr. Partelow, a speaker of the House of Assembly and a future mayor of St. John. It must be admitted that few elections that have ever been held in any part of British North America have had so many candidates presented to the electors who were afterwards eminent in public life. This election took place at an important epoch in the history of the province, when the old order was passing away and men's minds were prepared for a great change in political affairs. It was a Reform House of Assembly, and, although all the members elected for the purpose of upholding Reform principles did not prove true to their trust, still it contained a larger number of men of Liberal views than any of its predecessors.

Among the members of this House were several who had taken a very important part in public affairs, or who afterwards became members of the executive. The county of York sent among its representatives, Lemuel A. Wilmot, who had been a member of the House for sixteen years, and who had taken a leading part in many measures of importance for the improvement of the system by which the country was governed.

SIR LEONARD TILLEY

Mr. Charles Fisher, who had been a colleague of Mr. Wilmot in the county of York, was defeated at the general election, but soon afterwards became a member of the House. Mr. Fisher had not the oratorical gifts possessed by Mr. Wilmot, but he was even stronger in his Liberal views, and as a constitutional lawyer he had no equal, at that time, in the province. Although his manners were somewhat uncouth and his address far from polished, Fisher had strong individuality and a singularly clear intellect. His services in the cause of Liberalism in New Brunswick can hardly be overestimated, and these services were rendered at a time when to be a Liberal was to be, to a large extent, ostracized by the great and powerful who looked upon any interference with their vested rights as little short of treason.

Tilley's colleague from St. John city was William H. Needham, who afterwards represented the county of York in the legislature. Mr. Needham had some remarkable gifts as a speaker and a public man, and he might have risen to a much higher position than he ever attained had it not been that his principles were somewhat uncertain. In truth, Needham never succeeded in getting sufficiently clear of the world to be quite independent, and this misfortune hampered him greatly in his political career.

One of the members from St. John county was William J. Ritchie, a lawyer who had risen by his own efforts to a commanding position at the bar,

NOTABLE CANDIDATES

and who became chief-justice of Canada. Mr. Ritchie had been a member of the House of Assembly for several years, and always a useful one. He possessed what few members at that time had,—a clear knowledge of the true principles of responsible government. He had an eminently practical mind; he was a forcible and impressive speaker, and he was bold in the enunciation of the Liberal principles to which he held. It was a serious misfortune to the province that at a comparatively early age he was transferred to the bench, so that his great abilities were lost at a critical period when they might have been useful to New Brunswick in many ways.

John H. Gray, a new member, also sat in this House for the county of St. John. Mr. Gray was a man of fine presence, handsome appearance, and had a style of oratory that was very captivating and impressive. His fluency, however, was greater than his ability, and he injured himself by deserting the Liberal party, which he had been elected to uphold. Gray never quite recovered from the unpopularity connected with this action, and he never became in any sense a real leader. The party he had deserted soon obtained the control of the province, and his final appearance in the legislature was as a supporter of Mr. Tilley, content to play a secondary part during the great confederation conflict.

Robert Duncan Wilmot, another of the St. John

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County members, a first cousin of L. A. Wilmot, was not new to the legislature, and his mind being naturally conservative, it is in connection with the Conservative party that he is best known in the history of the province. He was elected as a Liberal, however, in 1850, but seems to have forgotten that fact as soon as he reached the House of Assembly. This was not the only occasion on which Wilmot contrived to change his principles, for he performed a similar feat during the confederation contest, and left the anti-confederate government of 1865 in the lurch at a moment when its existence almost depended on his fidelity. Wilmot never was an eloquent man, and he entertained some highly visionary views in regard to an irredeemable paper currency, but he was a useful public servant, and he afterwards became a member of the government of Canada and eventually lieutenant-governor of New Brunswick.

The Hon. John R. Partelow, who was defeated in St. John but elected for Victoria, was a man who might have acquired a great political reputation had the stage on which he appeared been a larger one. Partelow's qualifications for high public position did not depend upon his oratory, which was not of a high order, but upon his moderation and good sense. Partelow's origin was humble, and his early days were spent as a clerk in a store on the North Wharf, St. John. In that subordinate position he made himself so useful and dis-

JOHN R. PARTELOW

played so much ability that he was marked for promotion. The idea of bringing him forward as a candidate for the city of St. John seems to have originated with his employers, but when he gained a seat in the legislature he speedily made his influence felt. Partelow spoke but seldom, but when he did address the legislature it was generally with good effect, and after the subject had been to a large extent exhausted by previous speakers. He then had a faculty of drafting a resolution which seemed to express the general sense of all, and which was usually accepted as a solution of the matter. He was a good business man, understood accounts thoroughly and, therefore, had a great advantage in legislative work over those who were not so well equipped in this respect. New Brunswick may have produced greater men than he in public life, but none whose talents were more useful to the province, or better fitted to serve its interests at a critical period in its constitutional history.

CHAPTER II

ELECTED TO THE LEGISLATURE

SHORTLY after the general election, Chief-Justice Chipman, who had been in infirm health, resigned his office, and a vacancy was thus left on the bench of the supreme court of the province. In the natural course, this office ought to have gone to the attorney-general, Mr. L. A. Wilmot, but this appointment was not made. The council were unable to unite in any recommendation to the governor, who consequently laid all the facts before the home government and in reply received instructions to give the chief-justiceship to Judge Carter and to offer the puisne judgeship to Mr. Wilmot, or, if he should refuse it, to Mr. Kinnear, the solicitor-general. The executive council complained that the appointment of Mr. Wilmot to a seat on the bench by the authority of the secretary of state without the advice or recommendation of the responsible executive within the province, was at variance with the principles of responsible government which were understood to be in force. They, however, had only themselves to thank for this, for they were continually appealing to Downing Street. As a majority of the House had been elected as opponents of the government, it was supposed there

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would be no difficulty in bringing about a change of administration. Mr. Simonds, of St. John, who was reputed to be a Liberal, was elected speaker without opposition, and at an early day in the session Mr. Ritchie, of St. John, moved, as an amendment to the address, a want-of-confidence resolution. This resolution, instead of being carried by a large majority as was expected, was lost by a vote of fifteen to twenty-two, Messrs. Alexander Rankine and John T. Williston, of Northumberland, Messrs. Robert Gordon and Joseph Reed, of Gloucester, Mr. A. Barbarie, of Restigouche, and Mr. Francis McPhelim, of Kent, having deserted their Liberal allies. Had they proved faithful, the government would have been defeated, and the province would have been spared another three years of an incompetent administration.

In this division, Tilley and Needham, who represented the city of St. John, and Messrs. R. D. Wilmot and Gray, two of the county members, voted for Ritchie's amendment. As Wilmot and Gray showed by their votes that they had no confidence in the government in February, 1851, it was with much surprise that the people of St. John, in the August following, learned that they had become members of the administration which they had so warmly condemned a few months before. Their secession from the Liberal party destroyed whatever chance had before existed of ousting the government. Mr. Fisher had seceded from the govern-

RAILWAY LEGISLATION

ment in consequence of their action in reference to the judicial appointments, and John Ambrose Street, who was a member for Northumberland, became attorney-general in place of Robert Parker, appointed a judge. Mr. Street was a ready debater and a strong Conservative, and his entrance into the government at that time showed that a Conservative policy was to be maintained.

Mr. Street, as leader of the government in the assembly, presented a long programme of measures for the consideration of the legislature, none of which proved to be of any particular value. The municipal corporation bill was passed, but it was a permissive measure, and was not taken advantage of by any of the counties. A bill to make the legislative council elective, which was also passed in the Lower House at the instance of the government, was defeated in the Upper Chamber. The bill appointing commissioners on law reform was carried, and resulted in the production of the three volumes of the revised statutes issued in 1854. The most important bill of the session, introduced by the government, was one in aid of the construction of a railroad from St. John to Shediac. This bill provided that the government should give a company two hundred and fifty thousand pounds sterling, to assist in the construction of the line referred to. There was also a bill to assist the St. Andrews and Quebec Railroad to the extent of fifty thousand pounds, and a bonus or subvention to

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the Shediac line amounting to upwards of eleven thousand dollars a mile, for which sum a very good railway could be constructed at the present time. It may be stated here that, although the company was formed and undertook to build a railway to Shediac under the terms offered by the government, the province had eventually to build the road at a cost of forty thousand dollars a mile, or fully double what a similar road could be constructed for now.

One of the measures brought forward by the government at this session was with reference to the schools of the province. The idea of taxing the property of the county for the support of public schools had not then found any general acceptance in New Brunswick ; indeed, it was not till the year 1872 that the measure embodying this principle was passed by the legislature. The government school bill of 1851 provided that the teachers were to be paid in money, or board and lodging, by the district to the amount of ten pounds for six months, in addition to the government allowance. This bill was a very slight improvement on the Act then in force, and as the government left it to the House to deal with, and did not press it as a government measure, it was not passed. A private member, Mr. Gilbert, of Queens, at this session proposed to convert King's College into an agricultural school, with a model farm attached. King's College had been established by an Act

KING'S COLLEGE

passed in 1829, and had received a large endowment from the province, but it never was a popular institution because of its connection with a single Church. The original charter of the college made the bishop of the diocese the visitor, and required the president to be always a clergyman of the Church of England; and, although this had been changed in 1845 by the legislature, the number of students who attended it was always small, and it was shown in the course of debate that it had failed to fulfil the object for which it was created. The college council consisted of fifteen members, of whom ten were Episcopalians; and the visitor, the chancellor, the president, the principal, five out of seven of the professors and teachers, and the two examiners were members of the same Church. The services in the college chapel were required to be attended by all resident students, and of the eighteen students then in the college, sixteen were Episcopalians. It was felt that this college required to be placed on a different footing, and Mr. Gilbert's bill, although it provoked much hostile comment at the time, certainly would have been more beneficial to the educational interests of the country, if it had passed, than the state of affairs which resulted from the continuance of the old system. An agricultural school was the very thing the province required, while, judging from the limited attendance at the college at that time, the people of this province were not greatly impressed

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with the value of a classical education. In 1851, however, any one who proposed to replace a college for the teaching of Greek and Latin with a college of agriculture, and the sciences allied to it, was looked upon as a Philistine. Then youths were taught to compose Latin and to read Greek who never, to the day of their death, had a competent knowledge of their own language; and agricultural studies, which were of the highest importance to more than one-half of the people of the province, were totally neglected. Mr. Gilbert's bill was defeated, as it was certain to be in a legislature which was still under the domination of old ideas. Had it passed, New Brunswick might at this time have had a large body of scientific farmers capable of cultivating the soil in the most efficient manner, and increasing its productiveness to an extent hardly dreamed of by those who only consider it in the light of the present system of cultivation.

During this session, Mr. Ritchie of St. John moved a series of resolutions condemning the government, and complaining of the colonial office and of the conduct of the governor. These resolutions declared: first, that the House was entitled to full copies of all despatches addressed to or received from the colonial office, and that it was not enough merely to send extracts from a despatch which had been received by the governor. They declared that the power of making appointments to offices was

A POLITICAL SURPRISE

vested in the governor by and with the advice of the executive council, and that the appointment of the chief-justice and a puisne judge by the governor, contrary to the advice of his council, was inconsistent with the principles of responsible government. They complained that the salaries were excessive, and condemned the refusal of the British government to allow the colonies to grant bounties for the development of their resources. These resolutions, after being debated for about a week, were rejected by a vote of twenty-one to nineteen, the smallness of the majority against them at the time being looked upon as virtually a Liberal victory. If the nineteen had been made up of men who could be relied on to stand by their colours in all emergencies, it would have been a Liberal triumph, but, unfortunately, among the nineteen there were some who afterwards deserted their party for the sake of offices and power.

Early in August it was announced that John H. Gray and R. D. Wilmot, two of the Liberal members for the county of St. John, had abandoned their party and their principles and become members of the government. The Liberals of St. John, who had elected these gentlemen by a substantial majority, were naturally chagrined at such a proof of their faithlessness, and their colleagues were likewise greatly annoyed. Messrs. Gray and Wilmot made the usual excuses of all deserters for their conduct, the principal one being that they thought

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they could serve the interests of the constituency and of the province better by being in the government than out of it. The friends of the four members who still remained faithful, Messrs. Tilley, Simonds, Ritchie and Needham, held a meeting at which these gentlemen were present, and it was agreed that they should join in an address to their constituents condemning the course of Messrs. Wilmot and Gray, and calling on the constituency to pronounce judgment upon it. As Wilmot, who had been appointed to the office of surveyor-general, had to return to his constituency for re-election, the voice of the constituency could only be ascertained by placing a candidate in the field in opposition to him. This was done, and Mr. Allan McLean was elected to oppose Mr. Wilmot. The result seemed to show that the people of St. John had condoned the offence, for Wilmot was re-elected by a majority of two hundred and seventy-three. As this appeared to be a proof that they had lost the confidence of their constituents, Messrs. Simonds, Ritchie and Tilley at once resigned their seats and did not offer for reëlection. This act was, at the time, thought by many to indicate an excess of sensitiveness, and Needham refused to follow their example, thereby forfeiting the regard of most of those who had formerly supported him. The sequel proved that the three resigning members were right, for they won much more in public respect by their conduct than they

THE ST. JOHN ELECTION

lost by their temporary exclusion from the House of Assembly.

The gentlemen returned for the three seats in St. John which had been vacated by the resigning members were James A. Harding, John Goddard and John Johnson. Mr. Harding, who ran for the city, was opposed by S. K. Foster. Harding was a Liberal, but this fact does not seem to have been kept in view when he was elected. The net result of the whole affair was that the constituency of St. John could not be relied upon to support a Liberal principle, or any kind of principle as against men. That has always been a peculiarity of the St. John constituencies, men being more important than measures, and frequently a mere transient feeling being set off against the most important considerations of general policy.

Tilley was not in the House of Assembly during the sessions of 1852, 1853 and 1854; that period was one, however, of development in political matters and of substantial progress. The governor's speech at the opening of the session of 1852 was largely devoted to railways, and it expressed the opinion that a railroad connecting Canada and Nova Scotia, and a connection with a line from St. John to the United States, would produce an abundant return to the province, and that by this means millions of tons of timber, then standing worthless in the forest, would find a profitable market. It was during this session that Messrs. Peto, Brassy

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and Betts proposed to construct the European and North American Railway, on certain conditions. The subsidies offered by the province at this time were twenty thousand pounds a year for twenty years, and a million acres of land for the European and North American Railway, as the line to the United States was termed; and for the Quebec line, twenty-two thousand pounds sterling for twenty years, and two million acres of land. A new company, which included Mr. Jackson, M. P., offered to build the New Brunswick section of both railroads, upon the province granting them a subsidy of twenty thousand pounds a year for twenty years, and four million acres of land. Attorney-General Street introduced a series of railway resolutions favouring the building of the Intercolonial Railway jointly by the three provinces, according to terms which had been agreed upon by the delegates of each. The arrangement was that the Intercolonial Railway should be built through the valley of the St. John, and for favouring resolutions in the House confirming this arrangement, Mr. Street's Northumberland constituents called upon him to resign his seat, a step which he refused to take.

The government railway resolutions were carried by a large majority. During the recess Mr. Chandler, as a representative of New Brunswick, and Mr. Hincks, a representative of Canada, went to London to endeavour to obtain from the British government a sum sufficient to build the Intercolonial

INTERCOLONIAL RAILWAY

Railway. The request of the delegates was refused on the ground that such a work had to be one of military necessity, and that the route which had been selected, by the valley of the St. John, was not a proper one for military purposes. As Mr. Chandler could not obtain what he wished from the British government, he applied to Messrs. Peto, Brassy and Betts, who said they were prepared to build all the railroads that New Brunswick might require, upon the most advantageous terms. Mr. Jackson visited the province in September of the same year, and it was agreed that his company should build a railway from St. John to Amherst, and from St. John to the United States frontier, the distance being then estimated at two hundred and fourteen miles, for the sum of sixty-five hundred pounds sterling per mile. The province was to take stock to the extent of twelve hundred pounds per mile, and to lend its bonds to the company for one thousand eight hundred pounds additional per mile. The completion of this arrangement caused great rejoicing in the province, especially in St. John, a special session of the legislature being called on October 21st for the express purpose of amending the Railway Act so that it might conform to the new conditions. As both branches of the legislature were strongly in favour of the railway policy of the government, the necessary bills were speedily passed and the legislature was prorogued after a session of eight days.

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The meeting of the legislature in 1853 derived its principal importance from the fact that much of its time was taken up with the discussion of the question of a reciprocity treaty with the United States of America. The discussion disclosed a strong disinclination on the part of many members to any arrangement by which the fisheries would be surrendered. An address to the queen was agreed to by both branches of the legislature in which it was stated that the exclusive use of the fisheries by the inhabitants of British North America would be much more advantageous and satisfactory than anything which the United States could offer as an equivalent. It was also stated that no reciprocity treaty with that country would be satisfactory to New Brunswick which did not embrace the free exchange of raw materials and natural products and the admission of colonial built vessels to registry in American ports. The tone of the discussions on this subject, both in 1853 and 1854, shows that reciprocity with the United States was not generally regarded as being an equivalent for the giving of the fisheries to our neighbours, and it is quite clear that, so far as New Brunswick was concerned, the reciprocity treaty would not have been agreed to had it not been that the matter was in the hands of the British government, and that the legislature of the province was not disposed to resist strenuously any arrangement which that government thought it wise to make.

CHAPTER III

THE PROHIBITORY LIQUOR LAW

THE House which had been elected in 1850 was dissolved after the prorogation in 1854, and the election came on in the month of July. It was a memorable occasion, because it was certain that the topics discussed by the House then to be elected would be of the very highest importance. One of these subjects was the reciprocity treaty, which at that time had been arranged with the United States through the British government. This treaty provided for the free interchange of certain natural products between the great republic and the several provinces which later formed the Dominion of Canada, and it had been brought about through the efforts of Lord Elgin, who at that time was governor-general of Canada. The treaty was agreed to on June 5th, and was subject to ratification by the imperial parliament and the legislatures of the British North American colonies which were affected by it. In the St. John constituencies there was at that time a strong feeling in favour of a protection policy, but this did not interfere with the desire to effect the interchange of raw material with the United States on advantageous terms. Tilley had been originally

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nominated as a protectionist, and still held views favourable to the encouragement and protection of native industries by means of the tariff, but he was also favourable to reciprocity with the United States if it could be obtained in such a manner as to be beneficial to the province. At the general election he led the poll in the city of St. John, his colleague being James A. Harding, who had been elected at a bye-election to the previous House. For the county, Mr. William J. Ritchie was one of the successful candidates, and the only Liberal returned for that constituency. The other members for the county were the Hon. John R. Partelow, Robert D. Wilmot and John H. Gray.

The new House was called together on October 19th for the purpose of ratifying the reciprocity treaty, and the Hon. D. L. Hanington was elected speaker by a vote of twenty-three to thirteen. This gave the opposition an earlier opportunity of defeating the Street-Partelow administration than would, under ordinary circumstances, have been possible. An amendment to the address was moved by the Hon. Charles Fisher, which was an indictment of the government for their various shortcomings and offences. The amendment was to expunge the whole of the fifth paragraph and substitute for it the following:—

“It is with feelings of loyalty and attachment to Her Majesty’s person and government that we recognize, in that provision of the treaty which

QUESTION OF THE JUDGES REVIVED

requires the concurrence of this legislature, a distinct avowal by the imperial government of their determination to preserve inviolate the principles of self-government, and to regard the constitution of the province as sacred as that of the parent state. We regret that the conduct of the administration during the last few years has not been in accordance with these principles, and we feel constrained thus early to state to your Excellency that your constitutional advisers have not conducted the government of the province in the true spirit of our colonial constitution." This amendment was debated for six days, and was carried by a vote of twenty-seven to twelve.

The general ground of accusation against the government, and the one most strongly insisted upon, was that it had yielded to the influence of the colonial office in the appointment of Judge Wilmot. It was well known that the government at that time, or at least a majority of them, did not consider it necessary to appoint another judge; at all events, they took no steps to bring about another appointment; but they yielded to the colonial office, and the pressure put upon them by Sir Edmund Head, the lieutenant-governor, so far as to acquiesce in the appointment of Judge Carter as chief-justice, and the elevation of Mr. Wilmot to the bench. This was a fair ground of attack, because it was clear that if the executive council of New Brunswick was under the orders of the home govern-

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ment, representative institutions and responsible government did not exist.

Thus the Street-Partelow government fell, and with it disappeared, at once and forever, the old Conservative régime which had existed in the province from its foundation, and which, unavoidably no doubt, had presided over the early political life of the colony, but the undue continuance of which was wholly incompatible with the full development of representative institutions and responsible government. It was a great triumph for the cause of Liberalism that the Conservatives of that period were not only defeated, but swept altogether out of existence. After that a government of men who called themselves Conservatives might go into power, but the old state of affairs, under which the lieutenant-governor could exercise almost despotic powers, had departed forever, and could no more be revived than the heptarchy. All that a Conservative government could do after that was to fall into line with the policy of the men they had displaced, and proceed, less rapidly perhaps, but none the less surely, along the path of political progress.

The new government which was formed as the result of this vote had for its premier the Hon. Charles Fisher, who took the office of attorney-general; Mr. Tilley became provincial secretary; Mr. James Brown, a few weeks later, received the office of surveyor-general; J. M. Johnson, one of the members for Northumberland, became solicitor-

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general; and William J. Ritchie, Albert J. Smith and William H. Steeves were members of the government without office.

The bill to give effect to the reciprocity treaty passed its third reading on November 2d, only five members voting against it. On motion of the Hon. Mr. Ritchie, one of the members of the new government, it was resolved that it was desirable and expedient that the surveyor-general, who was a political officer, should hold a seat in the House of Assembly, and that the government should carry out the wishes of the House in this respect. Before the House again met the wishes of the House had been complied with, and Mr. Brown, of Charlotte, became surveyor-general.

The House met again on February 1st, 1855, and then the real work of legislative and administrative reform began. In the speech from the throne it was stated that the Customs Act would expire in the course of a year, and that it was necessary that a new Act should be passed. A better system of auditing the public accounts was also recommended, and a better system of electing members to the legislature. On March 5th, correspondence was brought down, dated the previous 15th of August, announcing, on the part of the imperial government, the withdrawal of the imperial customs establishment, which was considered to be no longer necessary, and stating that as the duties of these offices were now mainly in connection with

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the registration of vessels in the colonies, and the granting of certificates of the origin of colonial products, this work would hereafter be performed by the colonial officers. A letter addressed to the comptrollers and other customs officers had informed them that their services would be discontinued after January 5th, 1855. So disappeared the last remnant of the old imperial custom-house system, which had been the cause of so many difficulties in all the colonies and which had done more than anything else to bring about the revolution which separated the thirteen colonies from the mother country.

The great measure of the session of 1855 was the law to prevent the importation, manufacture or selling of liquor. This bill was brought in by Mr. Tilley as a private member, and not on behalf of the government. It was introduced on March 3d. Considering its importance and the fact that it led to a crisis in the affairs of the government and the temporary defeat of the Liberal party, it went through the House with comparatively little difficulty. It was first considered on March 19th, and a motion to postpone its further consideration for three months was lost by a vote of seventeen to twenty-one. The final division on the third reading was taken on March 27th, and the vote was twenty-one to eighteen, so that every member of the House, with one exception, voted yea or nay. The closeness of this last division should have warned

PROHIBITORY LIQUOR ACT

the advocate of the measure that it was likely to produce difficulty, for it is clear that all laws which are intended to regulate the personal habits of men must be ineffectual unless they have the support of a large majority of the people affected by them. That this was not the case with the prohibitory liquor law was shown by the vote in the legislature, and it was still more clearly shown after the law came into operation on January 1st, 1856.

The passage of the prohibitory law was a bold experiment, and, as the sequel showed, more bold than wise. The temperance movement in New Brunswick, at that time, was hardly more than twenty years old, and New Brunswick had always been a province in which the consumption of liquor was large in proportion to its population. When it was first settled by the Loyalists, and for many years afterwards, the use of liquor was considered necessary to happiness, if not to actual existence. Every person consumed spirits, which generally came to the province in the form of Jamaica rum, from the West Indies, and as this rum was supposed to be an infallible cure for nearly every ill that flesh is heir to, nothing could be done at that time without its use. Large quantities of rum were taken into the woods for the lumbermen, to give them sufficient strength to perform the laborious work in which they were engaged, and if it had been suggested that a time would come when the same work would be done without any more powerful

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stimulant than tea, the person who ventured to make such a suggestion would have been regarded as foolish. Experience has shown that more and better work can be done, not only in the woods, but everywhere else, without the use of stimulants than with them; but no one could be persuaded to believe this sixty years ago. Every kind of work connected with the farm then had to be performed by the aid of liquor. Every house-raising, every ploughing match, every meeting at which farmers congregated, had unlimited quantities of rum as one of its leading features. It was also used by almost every man as a part of his regular diet; the old staggers had their eleven-o'clock dram and their nip before dinner; their regular series of drinks in the afternoon and evening; and they actually believed that without them life would not be worth living. Some idea of the extent of the spirit-drinking of the province may be gathered from the fact that, in 1838, when the population did not exceed 120,000, 312,298 gallons of rum, gin and whiskey, and 64,579 gallons of brandy were consumed in New Brunswick. Spirits, especially rum, were very cheap, and, the duty being only thirty cents a gallon, every one could afford to drink it if disposed to do so.

It was at midnight on December 31st, 1855, when the bells rang out a merry peal to announce the advent of the New Year, that this law went into force. This meant little less than a revolution in

PROHIBITORY ACT UNPOPULAR

the views, feelings and ideas of the people of the province, and, to a large extent, in their business relations. The liquor trade, both wholesale and retail, employed large numbers of men, and occupied many buildings which brought in large rents to their owners. The number of taverns in St. John and its suburb, Portland, was not less than two hundred, and every one of these establishments had to be closed. There were probably at least twenty men who sold liquor at wholesale, and who extended their business to every section of the province, as well as to parts of Nova Scotia, and their operations also had to come to an end. It was not to be supposed that these people would consent to be deprived suddenly of their means of living, especially in view of the fact that it was by no means certain that the sentiment in favour of prohibition was as strong in the country as it appeared to be in the legislature. It has always been understood that many men voted for prohibition in the House of Assembly who themselves were not total abstainers, but who thought they might make political capital by taking that course, and who relied on the legislative council to throw out the bill. No men were more disgusted and disappointed than they when the council passed the bill.

The result of the attempt to enforce prohibition was what might have been expected. The law was resisted, liquor continued to be sold, and when attempts were made to prevent the violation of the

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law, and the violators of the law were brought before the courts, able lawyers were employed to defend them, while the sale of liquor by the same parties was continued, thus setting the law at defiance. This state of confusion lasted for several months, but it is unnecessary to go into details. In the city of St. John, especially, the conflict became bitter to the last degree, and it was evident that, however admirable prohibition might be of itself, the people of that city were not then prepared to accept it. At this juncture came the astounding news that the lieutenant-governor, the Hon. H. T. Manners-Sutton, had dissolved the House of Assembly against the advice of his council. This governor, who had been appointed the year previous, was a member of an old Conservative family, one of whom was speaker of the British House of Commons for a great many years. The traditions of this family were all opposed to such a radical measure as the prohibitory law, and, therefore, it was not to be expected that Manners-Sutton, who drank wine at his own table, and who considered that its use was proper and necessary, would be favourable to the law. But even if he had been disposed to favour it originally, or to regard it without prejudice, the confusion which it caused in the province when the attempt was made to enforce it, would naturally incline him to look upon it as an evil. At all events, he came to the conclusion that the people should have another opportunity of pro-

DISSOLUTION OF LEGISLATURE

nouncing upon it, and, as the result of this view of the situation, resolved to dissolve the legislature, which had been elected only a little more than a year, and had still three years to run.

The election which followed in July, 1856, was perhaps the most hotly contested that has ever taken place in the province. In St. John, especially, the conflict was fierce and bitter, because it was in this city that the liquor interest was strongest and most influential. All over the province, however, the people became interested in the struggle, as they had not been in any previous campaign.

By the Liberals and friends of the government, the action of Governor Sutton was denounced as tyrannical, unjust and entirely contrary to the principles of responsible government. On the other hand, the friends of the governor and of the liquor interest declared that his action was right, and the cry of "Support the governor," was raised in every county. At this day it is easy enough to discern that there was a good deal of unnecessary violence injected into the campaign, and that neither party was inclined to do full justice to the other.

CHAPTER IV

REFORM AND PROGRESS

THE result of the election was the defeat of the government. Mr. Tilley lost his seat for St. John city, and the Hon. James Brown, the surveyor-general, was rejected by the county of Charlotte, so that two of the principal members of the executive were not in their places when the House was called together in July. The city of St. John, and the city and county of St. John, sent a solid phalanx of six members opposed to prohibition, and an Act repealing the prohibitory liquor law was passed by a vote of thirty-eight to two. The new government which was formed had for its principal members, the Hon. John H. Gray, who became attorney-general; the Hon. John C. Allen, solicitor-general; the Hon. R. D. Wilmot, provincial secretary; the Hon. John Montgomery, surveyor-general, and the Hon. Francis McPhelim, postmaster-general. The other members of the executive council were the Hon. Edward B. Chandler, the Hon. Robert L. Hazen and the Hon. Charles McPherson.

When the House met in July, the Hon. Charles Simonds, of St. John, was elected speaker, and it was soon discovered, after the liquor bill had been

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disposed of, that the majority supporting the government was so small as to make it impossible for them to accomplish any useful legislation. When the legislature again met, in the early part of 1857, it was seen that in a House of forty-one members twenty were arrayed against the government, and the only way in which government business could be done was by the casting vote of the speaker. This condition of affairs speedily became intolerable, because it practically made legislation impossible, but it was brought to an end by Mr. McMonagle, one of the members for the county of Kings, withdrawing his support from the government. Two courses only were now open to them, to tender their resignations or advise the dissolution of the legislature, and they chose the latter. The House of Assembly was dissolved by proclamation on April 1st, 1857, and the writs for the election were made returnable on May 16th.

The excitement attending this second election was, if possible, even greater than during the election of 1856, for the public mind had been wrought up to a high state of tension by the proceedings in the House and the numerous divisions in which the government was supported only by the casting vote of the speaker. The result of the election was so unfavourable to the Gray-Wilmot government that they at once tendered their resignations to the lieutenant-governor, agreeing to hold office only until their successors were appointed.

THE FISHER GOVERNMENT

The most bitter contest of the election centred in the city of St. John, and it resulted in the election of Mr. Tilley, with Mr. James A. Harding for his colleague, the latter having changed his views in regard to the question at issue since the previous election, when he was chosen as an opponent of the government of which Tilley had been a member. When the Gray-Wilmot government resigned, the lieutenant-governor sent for Mr. Fisher, and entrusted to him the business of forming a new government. The government thus formed comprised the Hons. James Brown, S. L. Tilley, William Henry Steeves, John M. Johnson, Albert J. Smith, David Wark and Charles Watters. The Hon. Charles Fisher became attorney-general, and, resigning his seat, was reëlected for the county of York prior to the meeting of the legislature on June 24th, 1857. The session lasted only until July 1st, being merely held for the purpose of disposing of the necessary business. James A. Harding was elected speaker of the House, and the legislation was confined to the passage of the supply bills, and matters that were urgent. Tilley took no part in the legislation of this session, for his seat immediately became vacant by his appointment as provincial secretary. The other departments were filled by the appointment of Mr. Brown to the office of surveyor-general; of Mr. Charles Watters, to the office of solicitor-general, and of John M. Johnson as postmaster-general.

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The legislature met again on February 10th, 1858, and the speech from the throne dealt mainly with the financial crisis, the Intercolonial Railway, and the progress that was being made in the construction of the line between St. John and Shediac as a part of what was termed the European and North American Railway. The speech also referred to the fact that the surplus civil list fund had been, by arrangement with the British government made the previous year, placed at the disposal of the House of Assembly. It was soon seen that the government was strong in the House, the first test vote being that taken on the passage of the address in reply to the speech from the throne. This came in the form of an amendment, regretting that the arrangement in regard to the surplus civil list fund had been acceded to without the consent of the House. This amendment to the address received the support of only six members. A return brought down at an early period in the session showed that the revenue of the province for the fiscal year, ending October 31st, 1857, amounted to \$668,252, an increase of \$86,528 over the previous year. Of this sum upwards of \$540,000 came from import duties and what were termed railway imposts, which were simply duties levied on imports for the purpose of defraying the cost of the railways then building. The casual and territorial revenue yielded only eighteen thousand pounds, but the export duties reached almost twenty thousand pounds.

INTERCOLONIAL RAILWAY

The Intercolonial Railway still continued to engage the attention of the legislature, and correspondence with the secretary of state, with the government of Canada, and with the government of Nova Scotia, in regard to this great work, was laid before the House soon after the session opened. The government of New Brunswick consulted with the governments of Canada and Nova Scotia as to what assistance should be given by the imperial government towards the construction of the Interecolonial Railway from Halifax to Quebec, in the form of a guarantee of interest. The British government professed to feel a strong sense of the importance of the object, but thought they would not be justified in applying to parliament for the required guarantee, because the heavy expenditures to which Great Britain had been subjected did not leave them at liberty to pledge its revenue for the purpose of assisting in the construction of public works of this description, however desirable in themselves. The correspondence on the subject of the Intercolonial Railway extended over a period of more than twenty years and grew to enormous proportions, but it is safe to assert that this line of railway would not have been constructed in the nineteenth century but for the fact that it was undertaken by the Canadian Dominion as a work which had to be built for the purpose of carrying out the terms of confederation as set out in the British North America Act (section 145).

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The railway to Shediac was finally completed and opened for traffic on August 5th, 1860, its length being one hundred and eight miles. The nineteen miles between Pointe du Chêne and Moncton had been open as early as August, 1857, and the nine miles from St. John to Rothesay, on June 1st, 1858. The railway was opened from St. John to Hampton in June, 1859, and to Sussex in November of the same year. Although the people of the province had abated something of their enthusiasm for railways by the time the St. John and Shediac line was finished, still its opening was a great event, because it was the commencement of a new era in transportation and gave St. John access to the north shore, from which it had previously been practically shut out. Goods could now be sent by means of railway and steamer to Prince Edward Island, and to the New Brunswick ports on the Gulf of St. Lawrence, and a community of interest which did not exist before was thus created between the most remote sections of the province.

The traffic receipts of the complete line were thought to be highly satisfactory ; the business for the first three months amounted to about \$45,000, and yielded a revenue of \$18,000. This was a good showing and gave promise of still better things for the future. It may be interesting to state that in the last year that the railway was operated by the government of the province, the gross receipts amounted to \$148,330, and the net receipts to

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\$51,760. The gross and net revenue of the road had shown a steady increase from the first, and although it had been a costly public work the people of the province considered it a good investment. It was only after it had passed into the hands of the government of Canada, and become a part of the Intercolonial Railway, that any colour was given to the accusation that it was an unprofitable line. The railway from St. John to Shediac had always paid well, and probably, if dissociated from its connecting lines, would at this day pay three or four per cent. upon its original cost.

The legislation of the province between 1858 and 1861, although it included many useful measures, evolved nothing that calls for particular mention, with the exception of the law which provided for voting by ballot. This was an innovation to which many were opposed, but which the Liberal party very properly considered necessary to the protection of the voter, who was liable to be coerced by his employer, or by those who had financial relations with him. The ballot system introduced by the government was quite imperfect and did not insure absolute secrecy, because it did not provide for an official ballot such as is required in the system of election which now prevails in connection with the choice of members to our Canadian parliament. Yet it was a vast improvement on open voting, not only because it gave the voter a certain degree of protection, but also from the

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fact that it tended to promote order at elections, and to do away with that riotous spirit which was characteristic of the earlier contests in the province.

In 1859 an important step was taken for the reorganization of King's College, which by an Act passed in that year, was changed into the University of New Brunswick. There had always been a great deal of dissatisfaction with the college in consequence of its denominational character, and in 1854 an Act was passed empowering the lieutenant-governor to appoint a commission to inquire into the state of King's College, its management and utility, with a view to improving it. The commissioners appointed were the Hon. John H. Gray, the Rev. Egerton Ryerson, J. W. Dawson, the Hon. John S. Saunders and the Hon. James Brown. The report, which was dated December 28th, 1854, was laid before both branches of the legislature in 1855. In 1857 the college council appointed a committee and prepared a draft of a bill which was laid before the legislature. This, with a few slight alterations, was the bill which was passed in 1859 for the establishment of the University of New Brunswick, and in this bill were embodied the principal recommendations of the commissioners appointed in 1854 to enquire into the state of the college. This Act transferred to the University of New Brunswick all the property of King's College and its endowment, and made the university liable for the payment of the debts and the performance of the contracts of

UNIVERSITY OF NEW BRUNSWICK

King's College. It created a new governing body for the college to be styled the senate, to be appointed by the governor in council, and the president of the college was required to be a member of that body and also to be a layman. It conferred upon the senate the power of appointing the professors and other officers of the university, except the president, and also the power of removing them from office, subject to the approval of the governor in council. It also authorized the senate to fix their salaries. It abolished the professorship of theology and provided for the affiliation of other institutions with the university, and also for a number of free scholars. This Act, which was passed in April, 1859, was especially approved by Her Majesty in council on January 25th, 1860. Thus a new era in the higher education of New Brunswick was commenced, and a long step was taken towards making the college more acceptable to the people of that province. Great hopes were entertained at the time that this liberalizing of the constitution of the college would lead to a large increase in the number of its students, and a more general interest in its work, but, unfortunately, as the sequel showed, these hopes were only partially realized.

During the spring of 1860 circumstances occurred which led to the resignation of the post-master-general, the Hon. Charles Connell. The legislature having adopted the decimal system of currency in

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the place of the pounds, shillings and pence which had been the currency of the province since its foundation, Mr. Connell, in March, 1860, was authorized to obtain a new set of postage stamps of the denominations required for use in the postal service of the province. No person, at that time, thought that a political crisis would arise out of this order, but it appears that Mr. Connell, guided by the example of presidents and postmasters-general of the United States, had made up his mind that instead of the likeness of the queen, which had been upon all the old postage stamps of the province, the five-cent stamp, the one which would be most in use, should bear the impress of his own countenance. Accordingly the Connell postage stamp, which is now one of the rarest and most costly of all in the lists of collectors, was procured and was ready to be used, when Mr. Connell's colleagues in the government discovered what was going on and took steps to prevent the new five-cent stamp from being issued. The correspondence on the subject, which will be found in the journals of 1861, is curious and interesting; it ended in the withdrawal of the objectionable stamps and in the resignation of Mr. Connell, who complained that he had lost the confidence of his colleagues, and in resigning, charged them with neglecting the affairs of the province. Only a few of the Connell stamps got into circulation, the remainder of the issue being destroyed. Mr. Connell's place as postmaster-

RESIGNATION OF MR. FISHER

general was filled by the appointment of James Steadman.

In the early part of 1861 a very important event occurred in connection with the government which produced a lasting effect on provincial politics. Charges were made by a St. John Conservative paper, *The Colonial Empire*, in which it was stated that members of the government and certain Crown lands officials had been purchasing the most desirable and valuable Crown lands of the province for speculative purposes, and that in bringing these lands to sale the government regulations had been violated and the public treasury had suffered. A committee of the House was appointed to investigate these charges, and inquiry established the fact that an official of the Crown lands department had purchased some eight hundred acres. These lands were all bought at public sale, but in the forms of application other names were used, which was a violation of the rules of the department. A portion of the press at the time created a widespread excitement upon this subject, and the services of the official referred to were dispensed with. Some of the supporters of the government also took such ground in reference to the attorney-general, Mr. Fisher, that his retirement from the government became necessary, the accusation against him being that he had negligently permitted some improper sales of Crown lands to be made. It was felt at the time by some that the penalty that

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was paid by the attorney-general was excessive for the offence; but, under the excitement then existing, it was the only course that could be taken to avoid the defeat of the government. At the general election that followed a few months later, Mr. Fisher was reëlected for the county of York, and later on, after the excitement had passed over, the delinquent Crown lands official was reinstated. At the same election, that took place in 1861, the government was handsomely sustained, after one of the warmest contests that had ever taken place in New Brunswick. Probably the most effective nomination speech ever made by Tilley, during his long political career, was the one then delivered at the court-house, St. John, in his own defence, and in the vindication of his government against the charges made by the Opposition candidates and press.

CHAPTER V

THE INTERCOLONIAL RAILWAY

THE imperfect means of communication between the Maritime Provinces and Canada had long been recognized as a great evil, and very soon after the introduction of railways into England a line of railway was projected to run from St. Andrews, in New Brunswick, to Quebec. The transfer of a considerable tract of territory, which had been believed to be in New Brunswick, to the state of Maine, under the terms of the Ashburton Treaty, gave a check to this enterprise, and financial difficulties afterwards prevented its accomplishment. A more promising scheme was that of a railway from Halifax to Quebec, and this so far received the approval of the British government that an officer of engineers, Major Robinson, was, in 1847, detailed to conduct a survey of the proposed line. As this gentleman was influenced by purely military considerations, his line was carried as far from the United States boundary as possible, and consequently by a very long and circuitous route. During the session of 1852, Attorney-General Street introduced a series of resolutions in the New Brunswick legislature favouring the building of the Intercolonial Railway jointly by Canada, New

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Brunswick and Nova Scotia, according to terms which had been agreed upon by the delegates of each. This arrangement was that the Intercolonial Railway should be built through the valley of the St. John. These resolutions were carried by a large majority. During the recess, Mr. Chandler, as the representative of New Brunswick, and Mr. Hincks, the representative of Canada, went to London to endeavour to obtain from the British government financial aid to build the Intercolonial Railway. This was refused on the ground that such a work had to be one of military necessity. Further efforts were made in 1855, and again in 1858, to influence the British government in favour of this railway, but without result; the answer of Downing Street being that the heavy expenditure involved in the Crimean War prevented the government from assisting in the construction of public works, such as the Intercolonial Railway, however desirable in themselves.

The effort to secure the construction of the Intercolonial Railway was renewed in 1861. At a meeting of delegates representing Canada, Nova Scotia and New Brunswick, which was held at Quebec on September 30th, it was resolved that the three governments should renew the offers made to the imperial government in 1858 with reference to the Intercolonial Railway, and that the route to be adopted be decided by the imperial government. The Hon. Mr. Tilley, who was at this

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Quebec meeting, was sent to England as a delegate to confer with the imperial government with regard to the railway, while Nova Scotia was represented by the Hon. Joseph Howe, and Canada, by the Hon. P. M. Vankoughnet. The delegates reached England in November and placed themselves in communication with the Duke of Newcastle, who was then colonial secretary, and they also had interviews with the prime minister, Lord Palmerston, the chancellor of the exchequer, the secretary of war, and the president of the board of trade. While in England, the seizure of the commissioners of the southern confederacy, Messrs. Mason and Slidell, by Commodore Wilkes, on board the British mail steamer *Trent*, produced a crisis in the relations between Great Britain and the United States which seemed likely to lead to a war, and greatly strengthened the position of the delegates, who were able to point out the difficulty involved in defending Canada without a railway to the sea. They presented their views to the colonial secretary in a very ably written state paper, which should have convinced those to whom it was addressed that the railway was an absolute necessity. The delegates estimated the cost of the railway at £3,000,000 sterling, and they asked the imperial government to join in a guarantee of four per cent. interest on this sum, each of the provinces to guarantee £20,000 a year for this purpose and the imperial government, £60,000. This proposal was rejected by the

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British government, but it offered "an imperial guarantee of interest towards enabling them to raise by public loan, at a moderate rate, the requisite funds for constructing the railway." The British government, therefore, would do nothing for this great work except to indorse the bonds of the provinces to a limited extent, for it was stated in the Duke of Newcastle's letter to the delegates that "the nature and extent of the guarantee must be determined by the particulars of any scheme which the provincial governments may be disposed to found on the present proposal and on the kind of security which they would offer."

Delegates representing the three provinces met in Quebec in September, 1862, to consider this offer, New Brunswick being represented by Messrs. Tilley, Steeves and Mitchell. The delegates from the Maritime Provinces declared their willingness to propose to their respective governments to accept the proposition of the Duke of Newcastle if Canada would bear one-half of the expense of the railway instead of one-third. The Canadian government offered to assume five-twelfths of the liability for the construction and working of the Intercolonial, and to this the delegates for New Brunswick and Nova Scotia had to agree. This imposed a very serious burthen on two provinces, which, between them, had only six hundred thousand inhabitants, and their willingness to assume it shows the interest they took in this great work.

NEGOTIATIONS IN ENGLAND

In pursuance of an arrangement made at this Quebec meeting, delegates from the three provinces went to England to arrange the terms of the guarantee with the British government; the Hon. Mr. Tilley represented New Brunswick, and the Hon. Joseph Howe, Nova Scotia. Mr. Gladstone, who was then chancellor of the exchequer, insisted on a sinking fund being provided, which was to be a first charge on the revenues of the several provinces. This sinking fund was objected to by the colonial delegates, but the only modification in its terms which they were able to obtain was that the sinking fund was not to take precedence of any existing liability. Before leaving England, Messrs. Tilley and Howe prepared and submitted a memorandum to the Duke of Newcastle in which they expressed a hope that Mr. Gladstone might be induced to reconsider the matter of the sinking fund, and that it would not be insisted on. The Canadian delegates left England without an acceptance of the terms proposed by Mr. Gladstone, and without a formal rejection of them. Previous to the meeting of the Canadian parliament, Tilley proceeded to Quebec to urge upon the Canadian government the preparation of the necessary bills to carry out the agreement entered into for the construction of this great railway. He reported to the lieutenant-governor on his return that the government of Canada, for reasons stated, could not then undertake to pass the legislation required, which they greatly re-

gretted, but that they had not abandoned the arrangements for the construction of the railway. The Canadian government's declaration in the course of the session that they had abandoned this important enterprise was, accordingly, a source of great surprise and regret. The governments of New Brunswick and Nova Scotia passed the necessary legislation at the next session, but the government of Canada took no further step in the matter until the confederation negotiations were commenced in 1864.

CHAPTER VI

THE MOVEMENT FOR MARITIME UNION

WE now come down to an event of the greatest interest, in which Mr. Tilley took part, and one of such vast and far-reaching importance that it quite overshadows all the other events of his career. The confederation of the Canadian provinces was, beyond all question, the most notable colonial movement within the British empire since the American Declaration of Independence. It changed at once the whole character of the colonial relations which had subsisted with the mother country, and substituted for a few weak and scattered colonies a powerful Dominion, able to speak with a united voice, and stand as a helpmeet to the nation from which most of its people had sprung. No man, whatever his views as to the wisdom of that political union may have been at the time, can now deny that it was timely and necessary, if the colonies and the mother country were to preserve their connection with each other. It is safe to say that, if confederation had not taken place in 1867, British interests on this continent would have suffered, and possibly some of the colonies would now have been a part of the United States. The policy of separating the colonies from England,

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which has been so much advocated by many leading public men in the great republic, would have found free scope, and by balancing the interests of one colony against those of another, promoting dissensions and favouring those provinces which were disposed to a closer union with the United States, something might have been done to weaken their connection with the British empire, which is now the glory and the strength of the Dominion of Canada.

The question of the union of the several colonies of British North America was by no means a new one when it came up for final settlement. It had been discussed at a very early period in the history of the provinces, and indeed it was a question which it was quite natural to discuss, for it seemed but reasonable that colonies of the same origin, owing the same allegiance, inhabited by people who differed but little from each other in any respect, and with many commercial interests in common, should form a political union. No doubt it might have been brought earlier to the front as a vital political question but for the fact that the British government, which was most interested in promoting the union of the colonies, took no step towards that end until almost compelled by necessity to move in the matter. The colonial policy of England, as represented by the colonial office and in the royal instructions to colonial governors, has seldom been wise or far-seeing, and the British colonies which

CONFEDERATION FORESHADOWED

now girdle the world, have been built up mainly as the result of private enterprise; for the part taken by the government has, in most cases, been merely to give official sanction to what private individuals have already done, and to assist in protecting British interests when they have become important, especially in new regions of the world.

When the Earl of Durham was sent out as governor-general of Canada after the rebellion of 1837-1838, he suggested in his Report that the union of the colonies of British North America was one of the remedies which ought to be resorted to for the pacification of Canada and the reconstruction of its constitution. While a large proportion of the people of the colonies looked with favour upon the idea of a political union, there was in all of them a large body of objectors who were steadily opposed to it. People of that kind are to be found in all countries, and they have existed in all ages of the world's history. They are the persons who see in every new movement a thousand difficulties which cannot be surmounted. Their minds are constructed on the principle of rejecting all new ideas, and clinging to old forms and systems long after they have lost their vitality. They are a class who look back for precedents for any step of a political character which it is proposed to take, and who judge of everything by the standard of some former age. They seem to forget that precedents must be created some time or another, and that the present

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century has as good a right to create precedents as any of its predecessors. To these people every objection that could be urged against confederation was exaggerated and magnified, and whenever any proposal was made which seemed to tend towards the union of the colonies, their voices were heard upon the other side. We need not doubt the honesty or loyalty of these objectors, or consider that they were unfavourable either to British connection or to the building up of the empire. It was merely their misfortune that they were constitutionally adverse to change, and could not see any merit in a political movement which involved the idea of novelty.

For some time the principal advocate of confederation in the Maritime Provinces was the Hon. Joseph Howe, a man of such ability and force of character that on a wider stage he might have risen to eminence, and ranked amongst the world's great statesmen.¹ It is impossible indeed not to regret that so great a man, one so imperial in his instincts and views, should have been condemned to spend his life within the bounds of one small province.

The question of the political union of the British North American provinces was brought up in the House of Assembly of Nova Scotia in 1854, and then the leaders of both parties, the Hon. Mr. Johnson for the Conservatives, and the Hon. Mr.

¹ For a full account of Howe's views on confederation see the Hon. J. W. Longley's *Joseph Howe* in this series.

ATTITUDE OF COLONIAL OFFICE

Howe for the Liberals, united in advocating the measure, and in depicting the advantage which would accrue from it not only to Nova Scotia, but to every British province in North America. In 1858 the question of confederation was discussed in the parliament of Canada, and such a union was made a part of the policy of the government; for Mr. A. T. Galt, on becoming a member of the administration, insisted upon its being made a cabinet question, and Sir Edmund Head, the governor-general, in his speech at the close of the session, intimated that his government would take action in the matter during the recess. Messrs. Cartier, Galt, and Ross, who were in England representing the government of Canada, waited upon the colonial secretary, Sir Edward Bulwer Lytton, asking the authority of the imperial government for a meeting of representatives from each of the colonies to take the question of union into consideration. The colonial secretary informed the Canadian delegates, no doubt after consultation with his colleagues, that the question of confederation was necessarily one of an imperial character, and declined to authorize the meeting, because no expression of sentiment on the subject had as yet been received from any of the Maritime Provinces except Nova Scotia. The Earl of Derby's government fell a few months after this declaration of its policy in regard to the colonies, and was succeeded by the government of Lord Palmerston, which was

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in office at the time when the negotiations which resulted in the confederation of the colonies were commenced. At first Lord Palmerston's government seems to have been no more favourable to the union of the colonies than its predecessor; for in 1862 the Duke of Newcastle, then colonial secretary, in a despatch to the governor-general of Canada, after stating that Her Majesty's government was not prepared to announce any definite policy on the question of confederation, added that, "If a union, either partial or complete, should hereafter be proposed, with the concurrence of all the provinces to be united, I am sure that the matter would be weighed in this country both by the public, by parliament and by Her Majesty's government, with no other feeling than an anxiety to discern and promote any course which might be the most conducive to the prosperity, strength and harmony of all the British communities of North America." It must always be a subject of astonishment that the British government for so many years should have had no definite policy on a matter so momentous, and that they should have sought to discourage, rather than otherwise, a project which has been of such vast importance to the empire.

The first impulse in favour of confederation in the minds of the members of Lord Palmerston's cabinet seems to have developed about the time when it became evident that the result of the civil war in the United States would be the defeat of

A MISSIONARY OF UNION

the southern confederacy and the consolidation of the power of the great republic in a more effectual union than that which had existed before. No one who was not blind could fail to see that this change of attitude on the part of the United States would demand a corresponding change in the relations of the British colonies towards each other; for from being a mere federation of states, so loosely connected that secession was frequently threatened by states both north and south, the United States, as the result of the war, had become a nation with a strong central government, which had taken to itself powers never contemplated by the constitution, and which added immensely to its offensive and defensive strength.

In 1863, Thomas D'Arcy McGee, a member of the Canadian cabinet and a man of great eloquence and ability, visited St. John and delivered a lecture in the Mechanics' Institute Hall on the subject of the union of the colonies. His lecture was fully reported in the *Morning News*, a paper then published in that city, and attracted wide attention because it opened up a subject of the highest interest for the contemplation of the people of the provinces. Shortly afterwards a series of articles on the same subject, written by the author of this book, appeared in the columns of the *Morning News*, and were widely read and quoted. These articles followed closely the lines laid down for the union of the colonies by the late Peter S. Hamilton,

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of Halifax, a writer of ability whose articles on the subject were collected in pamphlet form and extensively circulated. Thus in various ways the public mind was being educated on the question of confederation, and the opinion that the union of the British North American colonies was desirable was generally accepted by all persons who gave any attention to the subject. It was only when the matter came up in a practical form and as a distinct proposition to be carried into effect, that the violent opposition which was afterwards developed against confederation began to be shown.

An event occurred in the summer of 1864 which had its effect on the question of confederation. Up to that time the people of Canada and New Brunswick had been almost wholly unknown to each other, because the difficulties of travelling between the two provinces were so great. Any person who desired to reach Montreal at that time from St. John had to take the international steamer to Portland, Me., and was then carried by the Grand Trunk Railway to his destination. Quebec could be reached in summer by the steamer from Pictou which called at Shediac, but in winter the journey had to be made by the Grand Trunk Railway from Portland, the only alternative route being the road by which the mails were carried from Edmunston north to the St. Lawrence. Under these circumstances the people of the Canadian provinces and of the Maritime Provinces had but few oppor-

POLITICAL CRISIS IN CANADA

tunities of seeing each other, and the people of all the provinces knew much more of their neighbours in the United States than they did of their fellow-colonists. One result of the Hon. D'Arcy McGee's visit in 1863 was an invitation by the city of St. John to the legislature of Canada to visit the Maritime Provinces. The invitation was accepted and a party of about one hundred, comprising members of the legislature, newspaper men, and others, visited St. John in the beginning of August, 1864. Their trip was extended to Fredericton, where they were the guests of the government of New Brunswick, and to Halifax, where they were the guests of that city and of the government of Nova Scotia. This visit produced a good effect upon the public mind, and enabled the Maritime people to see what kind of men their fellow-colonists of Upper and Lower Canada were.

In the meantime a great crisis had arisen in the government of Canada, which was the immediate cause of the active part which that province took in the confederation movement. When Upper and Lower Canada were united in 1841, it was arranged that the representation of each province in the legislature should be equal. The arrangement at that time was favourable to Upper Canada, which had a smaller population than Lower Canada; but in the course of time, as the population of Upper Canada increased faster than that of the lower province, the people of Upper

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Canada felt that they had less representation than they were entitled to, and this state of affairs led to the raising of the cry of "Representation by Population" which was so often heard in that province prior to the era of confederation. In 1864 Upper Canada had half a million more people than Lower Canada, and yet was only entitled to the same number of members in the legislature. Another serious difficulty, which arose out of the union, was the necessity, which not long afterwards began to be recognized, of the government having a majority in the legislature from each section of the province. This, in time, grew to be so great an evil that the successful government of Canada became almost impossible, for the majority for the government in one province might at any time be disturbed by some local feeling, and as a consequence the government overthrown. To trace the history of the difficulties which arose from this cause would be to recite twenty years of the history of Canada; but it is only necessary to point out thus plainly the reasons for the willingness of the people of Upper and Lower Canada to resort to confederation as a means of getting rid of their embarrassments.

In 1863, the Hon. John Sandfield Macdonald was leader of the government, but he was compelled to resign when parliament met in the early part of 1864, and in March of that year a new administration under the premiership of Sir E. P.

MACDONALD-BROWN COALITION

Taché was formed. This new government developed very little strength, and was defeated on June 14th by a vote of fifty-eight to sixty, on a question relative to some transaction connected with bonds of the city of Montreal. A deadlock had come, and as it was evident that no new government which could be formed was likely to command sufficient support, it became necessary to make some new arrangements in regard to the system of administration. Immediately after the defeat of the government, Mr. George Brown, leader of the Opposition, spoke to several supporters of the administration strongly urging that the present time should be availed of for the purpose of settling forever the constitutional difficulties between Upper and Lower Canada, and assuring them that he was prepared to coöperate with the existing or any other administration that would deal with the question promptly and firmly, with a view to its final settlement. After much negotiation Messrs. Brown, Mowat and McDougall, three prominent members of the Reform party, agreed to enter the government for the purpose of carrying out this policy based on a federal union of all the provinces.

Prior to this time there had been various efforts made by the government of New Brunswick to enter into closer relations with Nova Scotia and Prince Edward Island. Previous to the year 1861 a number of factories of various kinds had been

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established in the Maritime Provinces, but the limited market they then enjoyed prevented their extension and crippled their operations. To remedy this, Mr. Tilley, with the approval of his colleagues in the government, visited Nova Scotia and Prince Edward Island and proposed to the governments of both provinces free admission of their natural products and a uniform tariff on dutiable goods. In Halifax he had a lengthy and satisfactory conference with Mr. Howe, then leader of the government, and with Dr. Tupper, the leader of the Opposition. Both gentlemen agreed that the proposed arrangements would be in the interests of the three provinces, and Mr. Howe agreed to submit the matter to his government with the view of legislative action at the next session. Mr. Tilley then proceeded to Charlottetown, Prince Edward Island. At the conference held with the government there, his proposal was not so favourably entertained, the objection being that the existing tariff of Prince Edward Island was lower than the tariff of either Nova Scotia or New Brunswick, and sufficient for the financial wants of the Island, and that the necessary advance would be imposing taxation beyond their requirements. Notwithstanding the failure to secure the coöperation of the Island government, it was decided that the joint action of the Nova Scotia and New Brunswick legislatures in the direction named was desirable. When the Nova

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Scotia legislature met and the public accounts were proposed, it was found that a reduction of tariff was not practicable, and Howe informed Tilley that the scheme would have to be postponed, "though in other respects desirable." But the subject was not allowed to sleep, and in 1864 there was a renewal of the movement for a union of the Maritime Provinces. At the session of the New Brunswick legislature held that year, resolutions were passed authorizing the government to enter into negotiations with Nova Scotia and Prince Edward Island to hold a convention for the purpose of carrying such a union into effect. Similar resolutions were carried in the legislatures of Nova Scotia and Prince Edward Island, and the convention thus authorized was appointed to meet at Charlottetown in the month of September following.

CHAPTER VII

THE QUEBEC CONFERENCE

THE delegates appointed by the government of New Brunswick for the purpose of representing the provinces at Charlottetown in the convention for a union of the Maritime Provinces, were the Hon. Messrs. Tilley, Steeves, Johnson, Chandler and Gray. The first three were members of the government, while Messrs. Gray and Chandler were leading members of the Opposition, so that the arrangement had the assent of the leaders of both political parties and was in no sense a party movement. The Nova Scotia delegation consisted of the Hon. Charles Tupper, the leader of the government, the attorney-general, Mr. Henry, and Mr. Dickey, a Conservative supporter, and also the Hon. Adams G. Archibald and Jonathan McCully, leaders of the Liberal party. The Prince Edward Island delegates were also chosen from both sides of politics. The convention was opened in due form at Charlottetown on September 8th, in the chamber of the House of Assembly. The delegations had no power to decide finally on any subject, because any arrangements they made were necessarily subject to the approval of the legislatures of the three Maritime Provinces. But at this time the sentiment in favour

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of maritime union was so strong it was confidently believed that whatever was agreed upon at Charlottetown would become the basis of a future union.

The government of Canada had full knowledge of what was going on at Charlottetown, and they considered the time opportune for the purpose of bringing to the notice of the delegates from the Maritime Provinces the subject of a confederation of all the British North American colonies. A telegram was received while the delegates were in session announcing that representatives of the government of Canada had left Quebec for the purpose of meeting the delegates of the Maritime Provinces, and placing certain proposals before them. On the receipt of this message the further consideration of the question which they had met to discuss was deferred until after the Canadian delegates had arrived. They came in the government steamer *Victoria* on the following day and were found to embrace the leading men then in Canadian political life,—the Hons. J. A. Macdonald, George Brown, Georges E. Cartier, Alexander T. Galt, Thomas D'Arcy McGee, Hector L. Langevin, William McDougall and Alexander Campbell. These delegates represented the Reform, as well as the Conservative party, and were therefore able to speak with authority in regard to the views of the people of both Upper and Lower Canada. They were accorded seats in the convention, and at once sub-

CHARLOTTETOWN CONVENTION

mitted reasons why in their opinion a scheme of union, embracing the whole of the British North American colonies, should be adopted. The Hon. John A. Macdonald and Messrs. Brown and Cartier were heard on this subject, the financial position of Canada was explained, and the sources of revenue and wealth of the several provinces were discussed. Speeches were also made by Messrs. Galt, McGee, Langevin and McDougall, and after having commanded the attention of the convention for two days the Canadian deputation withdrew. Before doing so they proposed that if the convention concluded to suspend its deliberations upon the question of Maritime union, they should adjourn to Quebec at an early day, to be named by the governor-general, to consider the question of confederation. On the following day the convention adjourned, on the ground that it would be more for the general interest of British North America to adopt the larger union than a union of the Maritime Provinces merely, and it was thought that this might be effected without any very great difficulty, for there was then no strong feeling evinced in any quarter against confederation.

From Charlottetown the members of the convention and the Canadian deputation went to Halifax, where they were received most cordially and entertained at a banquet. They then took their departure for St. John, where they were entertained at a public dinner at which many leading men of the

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city were present. The chair was occupied by the Hon. John H. Gray, one of the delegates, and the expressions in favour of the proposed confederation were strong and hearty. No one could have suspected at that time that the movement for confederation would meet with so much opposition in New Brunswick. All seemed plain sailing but, as the result showed, the battle for confederation had yet to be fought, and it was won only after a long and doubtful struggle.

According to arrangement, the delegations from the other provinces met in convention at Quebec on October 10th, all the colonies, including Newfoundland, were represented and the delegates were as follows:—

Canada.—Hon. Sir Etienne P. Taché, premier; Hon. John A. Macdonald, attorney-general west; Hon. Georges E. Cartier, attorney-general east; Hon. George Brown, president of the executive council; Hon. Alexander T. Galt, finance minister; Hon. Alexander Campbell, commissioner of Crown lands; Hon. William McDougall, provincial secretary; Hon. Thomas D'Arcy McGee, minister of agriculture; Hon. Hector Langevin, solicitor-general east; Hon. J. Cockburn, solicitor-general west; Hon. Oliver Mowat, postmaster-general; Hon. J. C. Chapais, commissioner of public works.

Nova Scotia.—Hon. Charles Tupper, provincial secretary; Hon. W. A. Henry, attorney-general,

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Hon. R. B. Dickey, Hon. Adams G. Archibald, Hon. Jonathan McCully.

New Brunswick.—Hon. Samuel L. Tilley, provincial secretary; Hon. John M. Johnson, attorney-general; Hon. Edward B. Chandler, Hon. John Hamilton Gray, Hon. Peter Mitchell, Hon. Chas. Fisher, Hon. William H. Steeves.

Newfoundland.—Hon. F. B. T. Carter, speaker of the House of Assembly; Hon. Ambrose Shea.

Prince Edward Island.—Hon. John Hamilton Gray, premier; Hon. Edward Palmer, attorney-general; Hon. W. H. Pope, provincial secretary; Hon. George Coles, Hon. A. A. Macdonald, Hon. T. H. Haviland, Hon. Edward Whelan.

Sir Etienne P. Taché, who was then premier of Canada, was unanimously chosen president of the conference, and Major Hewitt Bernard, of the staff of the attorney-general west, private and confidential secretary. It was arranged that the convention should hold its meetings with closed doors, and it was laid down as a principle of the discussion that, as the matters to come up for debate were all of a novel character, no man should be prejudiced or held liable to the charge of inconsistency because he had changed his views in regard to any particular matter in the course of the discussion. It was also agreed that the vote, in case of a division, should be by provinces and not by numbers, Canada having two votes, representing Canada East and Canada West, and each

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of the other provinces one. This arrangement made it quite certain that the interests of the Maritime Provinces were not likely to be prejudiced by the result of the vote, or the work of the convention. It was soon decided that a federal union was to be preferred to a legislative union, and on the second day of the meeting the outlines of the proposed confederation were submitted in a series of resolutions by the Hon. John A. Macdonald. The general model of the proposed confederation was that of the United States, but with this difference, that whereas in the United States all powers not expressly given by the constitution to the federal government are held to belong to the several states, in the Canadian constitution all powers not expressly reserved to the several provinces were held to belong to the federal parliament. Thus in the United States the residuum of power is in the several states, while in Canada it is in the federal union and in the parliament of the Dominion. No doubt the recent example of the civil war in the United States, which was the result of an extreme assertion of state rights, was largely responsible for this feature of the Canadian constitution. It is clear, however, that it is a feature that is to be commended, because its tendency is to cause Canadians to regard themselves rather as Canadians than as belonging to any particular province, while in the United States the feeling of statehood is still very strong. There are,

DIFFICULT QUESTIONS

of course, many other contrasts between the Canadian confederation and the federal union of the United States, arising from radical differences in the system of government. Nothing like responsible government, as understood in the British empire, exists in the United States, while this essential feature had to be preserved in the Canadian constitution, not only with reference to the Dominion parliament, but also in the legislatures of the several provinces.

In all the proceedings at Quebec, Mr. Tilley, as the finance minister of New Brunswick, took a very prominent part. One great difficulty which arose was with respect to the amount of money to be given by the federal government to the several provinces for legislative purposes, in lieu of the revenue which they had been accustomed to obtain from customs duties and otherwise. The whole customs establishment was to be transferred to the central government, and as most of the provinces would have no other means of obtaining a revenue except by direct taxation, this feature of the matter became of very vital importance. The difficulty was increased by the fact that by the municipal system prevailing in Upper Canada the local needs of the municipalities, in the way of roads, bridges, schools and other matters, were provided for by local taxation, whereas in the Maritime Provinces the provincial government had been accustomed to bear these burdens. It was therefore an essential

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requisite to any scheme of union, to make it acceptable to the people of the Maritime Provinces, that sufficient money should be given to the provincial governments to enable them to continue these services as before. It was difficult to convince the representatives of Upper Canada of this, and it appears that the conference nearly broke up without arriving at any result, simply because of the apparently irreconcilable differences of opinion between the representatives of the Maritime Provinces and those of Canada in regard to this point. Finally these differences were overcome, and the conclusions of the conference were embodied in a series of seventy-two resolutions, which were agreed to, and which were to be authenticated by the signatures of the delegates, and transmitted to their respective governments, and also to the governor-general, for the secretary of state for the colonies. These resolutions formed the first basis of confederation and became what is known as the Quebec scheme.

It was perhaps inevitable that during the discussion of the scheme of confederation by the Quebec convention, the proceedings should be secret, but this restriction should have been removed as soon as the convention adjourned. That this was not done was the principal reason for the very unfavourable reception which the Quebec scheme met with from the people of New Brunswick, when it was placed before them. It was agreed

SUBVENTIONS TO THE PROVINCES

at the Quebec conference that the scheme should not be made public until after the delegates had reported to their respective governments for their approval, but it was impossible that a document, the terms of which were known to so many men, should be kept wholly concealed from the public, and so the details of the scheme leaked out and soon became a topic for public discussion. These discussions would have been conducted in a much more friendly spirit if the Quebec scheme had been given freely to the world, but as it was, prejudices and jealousies, in many cases, darkened the question, and made men, who were otherwise favourable to confederation, assume an attitude of hostility to the Quebec scheme.

One of the points which at once attracted the attention of the opponents of the scheme was the sum allowed to the several provinces for the purpose of conducting their local affairs. As the provinces had to surrender to the general government their right to levy customs and excise duties, it became necessary to make up in some way a sum sufficient to enable them to carry on those services which were still left to the provincial legislatures. It was arranged that this sum should be eighty cents a head of the population of the provinces as established by the census of 1861, which would give to New Brunswick something more than two hundred thousand dollars. This feature of the confederation scheme was eagerly seized upon as being

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a convenient club with which to strike it down. The cry was at once raised that the people of New Brunswick were asked to sell themselves to Canada for the sum of eighty cents a head, and this parrot-like cry was repeated with variations throughout the whole of the election campaign which followed in New Brunswick. It has often been found that a cry of this kind, which is absolutely meaningless, is more effective than the most weighty arguments, for the purpose of influencing men's minds, and this proved to be the case in New Brunswick, when the question of confederation was placed before the people. It was conveniently forgotten by those who attacked the scheme in this fashion that, if the people of New Brunswick were selling themselves to Canada for the sum of eighty cents a head, the people of Canada were likewise selling themselves to New Brunswick for the same sum, because the amount set apart for the provincial legislatures was precisely the same in each case. It would not, however, have suited the enemies of the confederation scheme to view the matter in this light; what was wanted was a cry which would be effective for the purpose of injuring the scheme and making it distasteful to the people who were asked to vote upon it.

It is not necessary to assume that those who opposed confederation were all influenced by sinister motives. Many honest and good men, whose attachment to British institutions could not be questioned,

OPPONENTS OF CONFEDERATION

were opposed to it because their minds were of a conservative turn, and because they looked with distrust upon such a radical change that would alter the relations which existed between the province and the mother country. Many, for reasons which it is not easy to understand, were distrustful of the politicians of Canada, whom they looked upon as of less sterling honesty than their own, and some actually professed to believe that the Canadians expected to make up their financial deficits by drawing on the many resources of the Maritime Provinces through the confederation scheme. On the other hand confederation was opposed in the province of New Brunswick by a number of men who could only be described as adventurers, or discredited politicians, and who saw in this contest a convenient way of restoring themselves to influence and power. There were also among the opponents of the scheme some men who recognized in its success the means of perpetuating British power on this continent, and who, being annexationists, naturally looked with aversion upon it for that reason. The vast majority of the people, however, had given the matter but the slightest degree of attention, and their votes were cast in accordance with prejudice hastily formed, which they had an opportunity of reconsidering before another year and a half had elapsed.

It had been arranged at the convention that the first trial of the scheme before the people should be

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made in New Brunswick, the legislature of which was about expiring, and accordingly the appeal was made to the people and the elections came on in the month of March, 1865. The enemies of confederation were very active in every part of the province, and they left no stone unturned to defeat the measure. The great cry upon which they based their opposition to the union with Canada was that of taxation, and, as the voters of New Brunswick were not inclined to favour any policy which involved high taxation, the appeals made in this way had a powerful effect. All through the rural constituencies the Opposition candidates told the electors that if they united themselves with Canada direct taxation would be the immediate result. They said that every cow, every horse, and every sheep which they owned would be taxed, and that even their poultry would not escape the grasp of the Canadian tax-gatherers. In the city of St. John, Mr. Tilley and his colleague, Mr. Charles Watters, were opposed by Mr. J. V. Troop and Mr. A. B. Wetmore. Mr. Troop was a wealthy ship-owner, whose large means made him an acceptable addition to the strength of the anti-confederate party, although previously he had taken no active part in political affairs. Mr. Wetmore was a lawyer of standing in St. John, who was considered to be one of the best *nisi prius* advocates at the bar, and who carried the methods of the bar largely into his politics. In the course of time he became attorney-

FEELING IN NEW BRUNSWICK

general of the province, and later on a judge of the supreme court. Mr. Wetmore, when haranguing St. John audiences, used to depict the dreadful effects of confederation in a manner peculiarly his own. His great plea was an imaginary dialogue between himself and his little son, that precocious infant asking him in lisping tones, "Father, what country do we live in?" to which he would reply, "My dear son, you have no country, for Mr. Tilley has sold us to the Canadians for eighty cents a head."

In the county of St. John, the Hon. John. H. Gray, Charles N. Skinner, W. H. Scovil and James Quinton, who ran as supporters of confederation, were opposed by John W. Cudlip, T. W. Anglin, the Hon. R. D. Wilmot and Joseph Coram. Mr. Cudlip was a merchant, who at one time enjoyed much popularity in the city of St. John. Mr. Anglin was a clever Irishman, a native of the county of Cork, who had lived several years in St. John and edited a newspaper called the *Freeman*, which enjoyed a great popularity among his co-religionists. He was admitted to be the leader of the Irish Catholics of St. John, and had acquired an ascendancy over them which was not easily shaken; yet he was not, as a politician, a great success, nor did his efforts to improve the condition of his countrymen always lead to satisfactory results. The Hon. R. D. Wilmot had been a prominent Conservative politician, but was defeated, and had retired to his

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farm at Belmont. For some years he had been devoting his abilities to stock-raising; but at the first note of alarm on the confederation question he abandoned his agricultural pursuits and rushed into the field to take part in the contest. Mr. Joseph Coram was a leading Orangeman, and a highly respected citizen.

In the county of York, the Hon. George L. Hatheway, who was then chief commissioner of the board of works, appeared in the field as an Opposition candidate, in company with John C. Allen, John J. Fraser and William H. Needham. Mr. Hatheway deserted the government in its hour of need, apparently because he judged from the cries that were raised against confederation that the current of public opinion was strongly adverse to the Quebec scheme. Having left Mr. Tilley in the lurch on the eve of the confederation contest, he deserted the Smith government sixteen months later, when the second confederation election came to be run, thereby inflicting upon them a blow from which it was impossible they could recover. William H. Needham, whose name has already appeared in this volume, did not lay claim to any high political principles; but having retired some time before to private life, he found in the confederation struggle a good opportunity of getting into the legislature. He was a man of very considerable ability, and had his principles been only equal to his knowledge and talents, he might have risen to the highest position

A CRITICAL ELECTION

in the province. But his course on many occasions made the public distrustful of him, and he died without having enjoyed any of those honours which men of far less ability have obtained. John James Fraser, afterwards governor of New Brunswick, was a man of a different stamp, and seems to have been a sincere opponent of confederation from conviction. The same may be said of John C. Allen, afterwards chief-justice of the province, a man whose sterling honesty has never been questioned.

CHAPTER VIII

DEFEAT OF CONFEDERATION

THE result of the election was the most overwhelming defeat that ever overtook any political party in the province of New Brunswick. Out of forty-one members, the friends of confederation succeeded in returning only six, the Hon. John McMillan and Alexander C. DesBrisay, for the county of Restigouche; Abner R. McClelan and John Lewis for the county of Albert; and William Lindsay and Charles Connell for the county of Carleton. Every member of the government who held a seat in the House of Assembly, with the exception of the Hon. John McMillan, the surveyor-general, was defeated. The majorities against the confederation candidates in some of the counties were so large it seemed hopeless to expect that any future election would reverse the verdict. Both the city and county of St. John, and the county of York, made a clean sweep, and returned solid delegations of anti-confederates. With the exception of the two Carleton members, the entire block of counties on the river St. John and the county of Charlotte, forming the most populous and best settled part of the province, declared against the Quebec scheme. On the north shore, Westmorland, Kent, Northumberland and

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Gloucester pronounced the same verdict, and, on the day after the election, the strongest friends of confederation must have felt that nothing but a miracle could ever bring about a change in the opinion which had been pronounced with such emphasis and by so overwhelming a majority. Yet fifteen months later the verdict of March, 1865, was completely reversed, and the anti-confederates were beaten almost as badly as the advocates of confederation had been in the first election; such are the mutations of public opinion.

Mr. Tilley and his colleagues resigned immediately after the result of the elections became known, and the Hon. Albert J. Smith was called upon to form a new government. Mr. Smith had been attorney-general in Mr. Tilley's government up to the year 1862, when he resigned in consequence of a difference with his colleagues in regard to the negotiations which were being carried on for the construction of the Intercolonial Railway. He was a fine speaker, and a man of ability. At a later period, when confederation had been established, he became a cabinet minister in the government of the Hon. Alexander Mackenzie. His powerful influence was largely responsible for the manner in which the North Shore counties declared against confederation, and he also did much to discredit the Quebec scheme by his speeches delivered in the city of St. John. Mr. Smith did not take the office of attorney-general in the new government, but contented himself with the

THE NEW GOVERNMENT

position of president of the council, the Hon. John C. Allen, of York, becoming attorney-general, and the Hon. A. H. Gillmor, of Charlotte, provincial secretary. The Hon. Bliss Botsford, of Westmorland, was made surveyor-general; and the Hon. George L. Hatheway retained his old office as the chief commissioner of the board of works. The other members of the government were the Hon. Robert Duncan Wilmot, of Sunbury, the Hon. T. W. Anglin, of St. John, and the Hon. Richard Hutchinson, of Miramichi.

The new government looked strong and imposing, and seemed to be secure against the assaults of its enemies, yet it was far from being as compact and powerful as it appeared to the outward observer. In the first place, it had the demerit of being founded solely on a negative, and upon opposition to a single line of policy. The reason why these men were assembled together in council as a government was that they were opposed to confederation, and, this question having been disposed of, they were free to differ upon all other points which might arise. Some of the men who thus found themselves sitting together at the same council board had all their lives been politically opposed to each other. The Hon. R. D. Wilmot, an old Conservative, could have little or no sympathy with Mr. A. H. Gillmor, a very strong Liberal. The Hon. A. J. Smith, also a Liberal, had little in common with his attorney-general, Mr. Allen, who was a Conservative. Mr. Odell, the post-

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master-general, represented the old Family Compact more thoroughly than any other man who could have been chosen to fill a public office in New Brunswick, for his father and grandfather had held the office of provincial secretary for the long term of sixty years. As he was a man of no particular capacity, and had no qualification for high office, and as he was, moreover, a member of the legislative council, his appointment to such a position was extremely distasteful to many who were strongly opposed to confederation. The Hon. Bliss Botsford, of Moncton, who became surveyor-general, was another individual who added no strength to the government. In a cabinet consisting of four men in the government who might be classed as Liberals, and five who might be properly described as Conservatives, room was left for many differences and quarrels over points of policy, to say nothing of patronage, after the great question of confederation had been disposed of. Local feelings also were awakened by the make-up of the government, for the North Shore people could not but feel that their interests were in danger of being neglected, as instead of having the attorney-generalship and the surveyor-generalship, which had been theirs in the previous government, they had to be content with a single member in the government, without office, in the person of Mr. Richard Hutchinson, who, as the representative of Gilmour, Rankine & Co., the great lumber house of the North Shore, was ex-

DISSENSIONS IN THE GOVERNMENT

tremely unpopular, even in the county which had elected him. The Hon. Robert Duncan Wilmot was perhaps the most dissatisfied man of any, with the new cabinet in which he found himself. He had not been a fortnight in the government before he began to realize the fact that his influence in it was quite overshadowed by that of Mr. Smith and Mr. Anglin, although neither of them held any office. Mr. Wilmot was a man of ability, and of strong and resolute will, so that this condition of affairs became very distasteful to him and his friends, and led to consequences of a highly important character.

The new government had not been long in existence before rumours of dissensions in its ranks became very common. Mr. Wilmot made no secret to his friends of his dissatisfaction, and it was understood that other members found their position equally unpleasant. An element of difficulty was early introduced by the resignation of the chief-justice, Sir James Carter, who, in September, 1865, found it necessary, in consequence of failing health, to retire from the bench, rendering it immediately necessary for the government to fill his place. The Hon. Albert J. Smith, the leader of the government, had he chosen, might have then taken the vacant position, but he did not desire to retire from political life at that time, and the Hon. John C. Allen, his attorney-general, was appointed to the bench as a puisne judge, while the Hon. Robert Parker

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was made chief-justice. The latter, however, had but few weeks to enjoy his new position, dying in November of the same year, and leaving another vacancy on the bench to be filled. Again, as before, the Hon. Mr. Smith declined to go on the bench, and the Hon. John W. Weldon, who had been a long time a member of former legislatures, and was at one time speaker, was appointed to the puisne judgeship, and the Hon. William J. Ritchie was made chief-justice. The entire fitness of the latter for the position of chief-justice made his appointment a popular one, but he was the junior of the Hon. Lemuel A. Wilmot as a judge, and the Hon. R. D. Wilmot, who was a cousin of the latter, thought the senior judge should have received the appointment of chief-justice. His disappointment at the office being given to another caused a very bad feeling on his part towards the government, and he would have resigned his seat forthwith but for the persuasions of some of those who were not friends of the government, who intimated to him that he could do them a great deal more damage by retaining his seat, and resigning at the proper time than by abandoning the government at that moment. Mr. Wilmot remained in the government until January, 1866, but although of their number, his heart was estranged from them, and he may properly be regarded as an enemy in their camp.

Mr. Anglin also had some difference with his colleagues with regard to railway matters, and he

CONFEDERATION VICTORY IN YORK

resigned his seat early in November, 1865; still he gave a general support to the government, although no longer in its councils. But the most severe blow which the administration received arose from the election in the county of York, which followed the seating of the Hon. John C. Allen on the bench. The confederation party had been so badly beaten in York at the general election that no doubt was felt by the government that any candidate they might select would be chosen by a very large majority. The candidate selected by the government to contest York was Mr. John Pickard, a highly respectable gentleman, who was engaged in lumbering, and who was extremely popular in that county, in consequence of his friendly relations with all classes of the community and the amiability of his disposition. The Hon. Charles Fisher was brought forward by the confederation party as their candidate in York, although the hope of defeating Mr. Pickard seemed to be desperate, for at the previous election Mr. Fisher had received only 1,226 votes against 1,799 obtained by Mr. Needham, who stood lowest on the poll among the persons elected for York. Mr. Fisher by his efforts in the York campaign, which resulted in his election, struck a blow at the anti-confederate government from which it never recovered. His election was the first dawn of light and hope to the friends of confederation in New Brunswick, for it showed clearly enough that whenever the people of the province were given

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another opportunity of expressing their opinion on the question of confederation, their verdict would be a very different one from that which they had given at the general election. Mr. Fisher beat Mr. Pickard by seven hundred and ten votes, receiving seven hundred and one votes more than at the general election, while Mr. Pickard's vote fell five hundred and seventy-two below that which Mr. Needham had received on the same occasion.

CHAPTER IX

TILLEY AGAIN IN POWER

AMONG the causes that had assisted to defeat confederation in New Brunswick, when the question was first placed before the people, was the active hostility of the lieutenant-governor, Mr. Arthur Hamilton Gordon, a son of that Earl of Aberdeen who was prime minister of England at the outbreak of the Crimean War. Mr. Gordon had been a strong advocate of maritime union and had anticipated that he would be the first governor of the united province of Acadia, or by whatever name the maritime union was to be known. He was therefore greatly disappointed and annoyed when the visit of the Canadians to Charlottetown, in September, 1864, put an end to the conference which had met for the purpose of arranging the terms of a union of that character. While a governor cannot take a very active part in political matters, he may stimulate others to hostility or to a certain course of action, who, under other circumstances, would be neutral or inactive, and there is reason to believe that some of the men who were most prominent in opposing confederation at the general election of 1865 were mainly influenced by the views of the lieutenant-governor. Confedera-

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tion, however, had been approved by the British government, after the terms arranged at Quebec had been submitted to it in a despatch from the governor-general; and those officials in New Brunswick and elsewhere, who expected to find support in Downing Street in their hostility to confederation, were destined to be greatly disappointed. Not long after the new government was formed in New Brunswick, Mr. Gordon returned to England, and it was generally believed that he was sent for by the home authorities. Instead of being favourably received on the ground of his opposition to confederation, he is said to have been compelled to submit to a stern reproof for his anti-constitutional meddling in a matter which did not concern him, and to have been given decidedly to understand that if he returned to New Brunswick, to fill out the remainder of his term of office, it must be as one pledged to assist in carrying out confederation and not to oppose it. When Mr. Gordon returned he was an entirely changed man, and whatever influence he was able to exert from that time forward was used in favour of confederation.

Another cause which made confederation more acceptable to the people of the province arose from the threats of the Fenians to invade Canada, which were made during the year 1865, and which were followed by armed invasions during the following year. Although there was no good reason for believing that the opponents of confederation were

FENIAN THREATS

less loyal than its supporters or less inclined to favour British connection, it was remarked that all the enemies of British connection seemed to have got into the anti-confederate camp. The Fenian movement had its origin in the troubles in Ireland arising out of oppressive land laws and other local causes, and it soon extended to America, where the politicians found it useful as a means of increasing their strength among the Irish people. At that time, there were in the United States many hundreds of thousands of men who had been disbanded from the army at the close of the Civil War, and who were only too ready to embrace any new opportunity of winning for themselves fame and rank on other fields of glory. Among these disbanded soldiers were many Irishmen, and it soon came to be known that bands of men could be collected in the United States for the invasion of this country, with the avowed object of driving the British flag from the American continent and substituting the stars and stripes. It was impossible that the people of Canada could view without emotion these preparations for their undoing, and in New Brunswick, especially, which was the first province to be threatened, the Fenian movement materially assisted in deciding the manner in which the people should vote on this great question of confederation when it came to be submitted to them a second time.

The House of Assembly met on March 8th,

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1866, and the speech from the throne, delivered by the lieutenant-governor, contained the following paragraph: "I have received Her Majesty's commands to communicate to you a correspondence on the affairs of British North America, which has taken place between Her Majesty's principal secretary of state for the colonies and the governor-general of Canada; and I am further directed to express to you the strong and deliberate opinion of Her Majesty's government that it is an object much to be desired that all the British North American colonies should agree to unite in one government. These papers will immediately be laid before you." This paragraph was not inserted in the speech without considerable pressure on the part of the lieutenant-governor, and it excited a great deal of comment at the time, because it seemed to endorse the principle of confederation, although emanating from a government which had been placed in power as the result of an election in which confederation had been condemned. When this portion of the speech was read by the lieutenant-governor, in the legislative council chamber, the crowd outside the bar gave a hearty cheer,—a circumstance which never occurred before in the province of New Brunswick, and perhaps not in any other British colony.

The members of the House favourable to confederation immediately took up the matter, and dealt with it as if the government had thereby

DESERTED BY FRIENDS

pledged themselves in favour of that policy, and indeed there was a fair excuse for such an inference. When the secret history of the negotiations between the lieutenant-governor and his advisers, prior to the meeting of the legislature, comes to be told, it will be found that at least some of the members of the government had given His Excellency to understand that they were prepared to reverse their former action and to adopt confederation. The difficulty with them was that they feared their own supporters, and thought that if they made such a move they would lose the favour of those who had placed them in power, and this fear was certainly a very natural one.

As soon as the House met, it was discovered that Mr. A. R. Wetmore, one of the prominent supporters of the government who had been elected to represent the city of St. John as an anti-confederate, was no longer in sympathy with the government. Mr. Wetmore's long experience as a *nisi prius* lawyer, and his curt and imperturbable manner, rendered him a most exasperating and troublesome opponent, and at a very early period of the session he commenced to make it unpleasant for his former friends. He cross-examined the members of the government in the fashion which he had learned from long experience in the courts. Such attacks proved extremely damaging as well as very annoying.

The address in reply to the speech from the throne was moved in the House of Assembly by

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Colonel Boyd, of Charlotte County, and when the paragraph relating to confederation was read, Mr. Fisher asked him what it meant. Mr. Boyd replied that the government had no objection to confederation, provided the terms were satisfactory. This reply still further strengthened the feeling that the government were inclined to pass the measure which they had been elected to oppose. Mr. Fisher moved an amendment to the fourth paragraph of the address, which referred to the Fenian conspiracy against British North America, expressing the opinion that while His Excellency might rely with confidence on the cordial support of the people for the protection of the country, his constitutional advisers were not by their general conduct entitled to the confidence of the legislature. This amendment was seconded by Mr. DesBrisay, of Kent, who had been elected as a supporter of the government, and it was debated at great length. The discussion upon it continued from day to day for about three weeks, when, on April 10th, the government resigned in consequence of difficulties with His Excellency in regard to his reply to the address of the legislative council. The legislative council had proceeded to pass the address in reply to the speech, but in consequence of the delay in the House of Assembly, this reply had not before been presented to the governor. In answer to the address of the legislative council, His Excellency said: "I will immediately transmit your address to the secretary

THE GOVERNMENT RESIGNS

of state for the colonies in order that it may be laid at the foot of the throne. Her Majesty the Queen has already been pleased to express deep interest in a closer union of her North America colonies and will no doubt greatly appreciate this decided expression of your opinion, and the avowal of your desire that all British North America should unite in one community, under one strong and efficient government, which cannot but tend to hasten the accomplishment of this great measure."

The resignation of the government was announced in the House of Assembly on April 13th by the Hon. A. J. Smith, and the correspondence between the lieutenant-governor and his advisers was laid before the House at the same time. The immediate and ostensible cause of the resignation was the terms of approval in which the lieutenant-governor had replied to the address of the legislative council in reference to confederation. Mr. Smith claimed that it was the duty of the lieutenant-governor to consult his constitutional advisers in regard to the answer to be given, and that, in assuming to himself the right to reply to such an address without consulting them, he had not acted in accordance with the true spirit of the constitution. This was certainly sound doctrine, and the reply of the lieutenant-governor was by no means satisfactory on this point, but he was able to show that Mr. Smith had himself expressed his willingness to enter into a scheme of union, although

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opposed to the Quebec scheme, and had suggested that, as a preliminary step, the papers on that subject should be referred to a joint committee of both Houses with an understanding that the committee should report in favour of a measure of union. At a later period Mr. Smith seemed indisposed to carry out this arrangement, his conduct evidently being the result of timidity, and so he found himself, to use the language of Sir Arthur Gordon, "entangled in contradictory pledges from which he found it impossible to extricate himself." He had, in fact, placed himself in the power of the lieutenant-governor, and his only resource was to resign. It was understood at the time, and has never been denied, that His Excellency was acting under the advice of the Hon. Peter Mitchell, a member of the legislative council, who was a strong supporter of confederation. Mr. Mitchell was a man of great force of character, and, next to Mr. Tilley, must be regarded as the most potent factor in bringing about the change in the sentiments of the people of the province with respect to confederation.

The lieutenant-governor called upon the Hon. Peter Mitchell, who was a member of the legislative council, to form a government. Mr. Mitchell had been very active in the cause of confederation, and was the moving spirit in the legislative council in all the proceedings in its favour taken in that body; but, when asked to form a new government, he advised the lieutenant-governor that the proper

THE FENIAN INVASION

person to undertake that responsibility was the Hon. Mr. Tilley. The latter, however, declined the task on the ground that he was not a member of the legislature, whereupon Mr. Mitchell associated with himself the Hon. Mr. Wilmot for the purpose of forming a new government. The government was announced on April 18th, and was formed as follows:—Hon. Peter Mitchell, president of the council; Hon. S. L. Tilley, provincial secretary; Hon. Charles Fisher, attorney-general; Hon. Edward Williston, solicitor-general; Hon. John McMillan, postmaster-general; Hon. A. R. McClelan, chief commissioner of public works; Hon. R. D. Wilmot and Hon. Charles Connell, members without office. The latter afterwards became surveyor-general.

While the government was being formed in New Brunswick, a Fenian army was gathering upon the border for the purpose of invading the province. This force consisted of four or five hundred young men, most of whom had been in the army of the United States. It was recruited at New York, and its chief was a Fenian named Doran Killian. A part of his force arrived at Eastport on April 10th, and a schooner, laden with arms for the Fenians, soon after reached that place. From this schooner, which was seized by the United States authorities, one hundred and seventeen cases of arms and ammunition were taken,—a clear proof that the intentions of the Fenians were warlike, and that their presence on

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the border was not a mere demonstration. The Fenians appeared to have been under the impression—as many residents of the United States are to this day—that the people of Canada and of New Brunswick were dissatisfied with their own form of government, and were anxious to come under the protection of the stars and stripes. This absurd idea was responsible, largely, for the War of 1812, and it has been responsible, since then, for many other movements, with respect to the British provinces of North America, in which residents of the United States have taken part. There never was a greater delusion than this, and, in the instance referred to, the Fenians were doomed to be speedily undeceived. The presence of a Fenian force on the border sounded like a bugle blast to every able-bodied man in New Brunswick, and the call for troops to defend the country was instantly responded to. About one thousand men were called out and marched to the frontier. The troops called out consisted of the three batteries of the New Brunswick regiment of artillery, seven companies of the St. John volunteer battalion, one company of the first battalion of the York County militia, one company each of the first and third battalions of the Charlotte County militia, and two companies each of the second and fourth battalions of the Charlotte County militia. These troops remained in arms on the frontier for nearly three months, and were disbanded by a general order dated June 20th. The

CONFEDERATION VICTORIES

Fenian raid on New Brunswick proved to be a complete fiasco. The frontier was so well guarded by the New Brunswick militia and by British soldiers, and the St. Croix so thoroughly patrolled by British warships, that the Fenians had no opportunity to make any impression upon the province. It ought to be added that the United States government was prompt to take steps to prevent any armed invasion, and General Meade was sent down to Eastport with a force of infantry and a ship of war to prevent the Fenians from making that place a base of operations.

The general elections to decide whether or not New Brunswick was willing to become confederated with Canada, were held in May and June. The first election was that for the county of Northumberland on May 25th, and the result was that the four candidates who favoured confederation, Messrs. Johnson, Sutton, Kerr and Williston, were elected by large majorities. The same result followed in the county of Carleton, where the election was held on May 26th, Messrs. Connell and Lindsay being elected by a vote of more than two to one over their anti-confederate opponents. The third election was in Albert County on the 29th, and there Messrs. McClelan and Lewis, the two candidates in favour of confederation, were triumphantly returned. On May 31st, elections were held in Restigouche and Sunbury, and, in these counties, the candidates in favour of confederation were returned by large

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majorities. The York election came next. In that county, the anti-confederates had placed a full ticket in the field, the candidates being Messrs. Hatheway, Fraser, Needham and Brown. Mr. Fisher had with him on the ticket, Dr. Dow and Messrs. Thompson and John A. Beckwith. Every person expected a vigorous contest in York, notwithstanding the victory of Mr. Fisher over Mr. Pickard a few months before. But, to the amazement of the anti-confederates in other parts of the province, the Hon. George L. Hatheway and Dr. Brown retired after nomination day and left Messrs. Fraser and Needham to do battle alone. Mr. Hatheway's retirement at this time was a death-blow to the hopes of the anti-confederates all over New Brunswick, affecting not only the result in the county of York, but in every other county in which an election was to be held. A few nights before his resignation, Mr. Hatheway had been in St. John addressing a packed meeting of anti-confederates in the hall of the Mechanics' Institute, and he had spoken on that occasion with apparent confidence. When his friends in St. John, who had been so much moved by his vigorous eloquence, learned that he had deserted them, their indignation was extreme, and they felt that matters must indeed be in a bad way when he did not dare to face the York electors.

The election in the county of St. John was held on June 6th, and that in the city, on the seventh.

THE BATTLE IS WON

For the county, the confederate candidates were Messrs. C. N. Skinner, John H. Gray, James Quinton and R. D. Wilmot, and the anti-confederate candidates were Messrs. Coram, Cudlip, Robertson and Anglin. The former were elected by very large majorities, Mr. Wilmot, who stood lowest on the poll among the confederates, having a majority of six hundred over Mr. Coram, who stood highest among the defeated candidates. The election for the city was an equally emphatic declaration in favour of confederation. The candidates were the Hon. S. L. Tilley and A. R. Wetmore on the confederate side, and J. V. Troop and S. R. Thompson opposed to confederation. Mr. Tilley's majority over Mr. Troop, who stood highest on the poll of the two defeated candidates, was seven hundred and twenty-six. The only counties which the anti-confederate party succeeded in carrying were Westmorland, Gloucester and Kent,—three counties in which the French vote was very large,—so that of the forty-one members returned, only eight were opponents of confederation. The victory was as complete as that which had been recorded against confederation in the beginning of 1865.

The battle of confederation had been won, and the triumph was mainly due to the efforts of the Hon. Mr. Tilley. That gentleman, as soon as the defeat of confederation took place in March, 1865, had commenced a campaign for the purpose of educating the people on the subject. Being free from his

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official duties and having plenty of time on his hands, he was able to devote himself to the work of explaining the advantages of the proposed union to the people of the province; and during the years 1865 and 1866, he spoke in almost every county on the subject which was so near to his heart. He had embraced confederation with a sincere desire for the benefit of his native province, and with the belief that it would be of the greatest advantage to New Brunswick. If the fruits of confederation have not yet all been realized, that has been due rather to circumstances over which neither Mr. Tilley nor any one else had any control, than to any inherent vice of confederation itself. If union is strength, then it must be admitted that the union of the British North American provinces, which consolidated them into a powerful whole, was a good thing; and there cannot be a doubt that if the provinces had remained separate from each other, their present position would have been much less favourable than it is now.

CHAPTER X

THE BRITISH NORTH AMERICA ACT

ONE of the great objects of confederation was the construction of the Intercolonial Railway from St. John and Halifax to Quebec. It was thought that there could be no real union between the several colonies of British North America unless a good means of communication existed, and such a means was to be obtained only through the construction of this line of railway. The Intercolonial Railway, as we have seen, had been a part of the policy of successive governments in the province for many years, and it became an essential part of the scheme of confederation. When confederation was accepted by the people of New Brunswick in 1866, the Intercolonial Railway had yet to be built. Western Extension, as the line to the Maine border was called, had only been commenced; Eastern Extension, from the Shediac line towards Halifax, was in the same condition; in fact, the total mileage of the railways in New Brunswick did not exceed two hundred miles, and these lines were isolated and formed no part of any complete system. New Brunswick now has three separate lines of railway leading to Quebec and Montreal; it is connected with the great railway systems of the continent;

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there is no county in the province which has not a line of railway traversing it; and the mileage has risen from less than two hundred to more than fourteen hundred.

Mr. Tilley realized that the time had come when the communities which form the British provinces of North America must either become politically connected or else fall, one by one, beneath the influence of the United States. After confederation had been brought about between Canada, New Brunswick and Nova Scotia, enough was seen in the conduct of American statesmen towards Prince Edward Island to show that their design was to try to create a separate interest in this colony apart from the general interest of Canada. The acceptance of the scheme of confederation by Prince Edward Island, at a comparatively early period, put an end to the plots in that quarter; but in the case of Newfoundland the same thing has been repeated, and an attempt was made by American statesmen to cause the people of that island to believe that their interests and those of Canada are not identical, and that they would be specially favoured by the United States if they held aloof from the great Dominion. The attitude of the people and congress of the United States towards Canada has not been marked, for the most part, by any great friendliness. They saw in confederation an arrangement that was likely to prevent this country from ever becoming absorbed by their

HIS SPEECHES

own, and they believed that by creating difficulties for us with respect to the tariff and other matters, and limiting the area of our commercial relations, they could put such pressure upon Canada as would compel our people to unite with them. This scheme has failed because it was based on a misconception of the spirit of our people; but who will say that it would not have succeeded if the several provinces which now form the confederation had been dis-united and inharmonious in their relations and had pursued different lines of policy?

It is unfortunate that, owing to the absence of verbatim reports, it is impossible to reproduce any of Tilley's speeches during the confederation campaign. No speaker that New Brunswick has ever produced has been more generally acceptable than was Tilley. His speeches were pointed, and so clear that they could not be misunderstood. He possessed, to a very large extent, that magnetism which enabled him to retain the attention and to awaken the sympathy of his audience. At all the meetings which he addressed, there were many who regarded themselves always as his friends and supporters and who formed a phalanx around him, giving him a confidence and political strength which few statesmen have ever enjoyed to a like extent. Although his addresses frequently provoked the bitter animosity of his enemies, he had always enough friends to counteract their influence; and during the many contests which he had to fight

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for his seat in the city of St. John, he was always able to rely on the loyalty of those who were his early associates and who remained his supporters until the end of his career. It is quite safe to assert that confederation could not have been carried had it not been for the personal efforts of Mr. Tilley. As the leader of the government which had consented to the Quebec scheme, he was properly looked upon as the chief promoter of confederation in New Brunswick, and his name will go down to future generations identified with that large and necessary measure of colonial statesmanship.

Although the vote of the electors had been taken on the question, much remained to be done before confederation could become an accomplished fact. The last elections, which were those of Kings and Charlotte, were held on June 12th, but more than a year was to elapse before the union was effected, and the result which the election was intended to bring about realized. The first thing to be done was to call the legislature together and complete the business of the province, which had been interrupted by the dissolution. The legislature met on June 21st, and the Hon. John H. Gray, who had been an active advocate of confederation, and who was one of the members for the county of St. John, was made speaker. In the speech from the throne the following reference was made to the question of confederation:—

THE LEGISLATURE MEETS

“Her Majesty’s government have already expressed their strong and deliberate opinion that the union of the British North American provinces under one government is an object much to be desired. The legislatures of Canada and Nova Scotia have formed the same judgment, and you will now shortly be invited to express your concurrence with or dissent from the view taken of this great question by those provinces.”

The address in reply was moved by Mr. Kerr, of Northumberland, and seconded by Mr. Beveridge of Victoria, and its consideration was made the order of the day for the following Saturday. When it came up for discussion the Hon. Albert J. Smith was not in his place, and Mr. Botsford, one of his colleagues from Westmorland, endeavoured to have the consideration of the matter postponed; but the House was in no humour to await the convenience of any single member, and the address was passed the same day by a vote of thirty to seven. Attorney-General Fisher, immediately on the passage of the address, gave notice of the following resolution, which was to be made the order of the day for Monday, June 26th:—

“*Resolved*, That an humble address be presented to His Excellency, the lieutenant-governor, praying that His Excellency be pleased to appoint delegates to unite with delegates from the other provinces in arranging with the imperial government for the union of British North America, upon

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such terms as will secure the just rights and interests of New Brunswick, accompanied with provision for the immediate construction of the Intercolonial Railway; each province to have an equal voice in such delegation, Upper and Lower Canada to be considered as separate provinces.”

Mr. Fisher moved the resolution in question in a very brief speech, and was replied to by the Hon. Mr. Smith, who spoke at great length and continued his speech on the following day. Mr. Smith took exception to giving the delegates power to fix the destinies of the provinces forever, without again submitting the scheme of union to the people. He proceeded to discuss the Quebec scheme, and took exception to the construction of the Upper House of the proposed legislature of the confederation, declaring that each province should have an equal number of representatives in it, as was the case in the United States. After going over the ground pretty thoroughly and criticizing most of the terms of the scheme of confederation, he moved an amendment, to the effect that no Act or measure for a union with Canada take effect until approved by the legislature or the people of the province.

The Hon. Mr. Tilley replied to the leader of the Opposition in one of the most effective speeches that he ever delivered in the legislature. He first took up Mr. Smith's allusion to the constitutional question, and, with immense power and solemnity, he charged that any want of constitutional action

A PLAN FOR CONFEDERATION

which existed was due to Mr. Smith and his colleagues. He stated that the governor's sympathies were with the late government, and that he had endeavoured to aid and not to injure them. Mr. Smith had alluded to the Hon. Joseph Howe, who was then an opponent of confederation, in terms of praise, and Mr. Tilley, in reply, read from Mr. Howe's speech, made in 1861, a magnificent paragraph on the union of British America. Mr. Tilley stated that the government would take the Quebec scheme for a basis, and would seek concessions to meet the views of those who found objection to parts of it. He mentioned the various counties of the province to show that they were either expressly or potentially favourable to the Quebec scheme. He was convinced that even his friend, the ex-attorney-general and member for Westmorland, was hardly against union. He asked, "Was there one anti-unionist on the floor of the House? Where was Mr. Anglin? Mr. Needham? Mr. Hill and all the rest of the anti-unionists? They were all swept away and unionists had taken their places, and when the arrangements for union were carried out, the feeling in its favour would be deeper and deeper." Mr. Tilley showed the great advantages which would accrue to New Brunswick eventually in consequence of confederation. He combated the statement made by Mr. Smith that after confederation the provincial legislature would become a mere farce, showing that of all the Acts passed

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during the previous two years there were only seven which would have come under the control of the general legislature. Mr. Tilley closed by dwelling on the impression of power which union would have on the minds of those abroad who were plotting our ruin. The speech was listened to with the utmost attention by the members of the legislature and by a very large audience which completely filled the galleries, and it was generally considered to have been one of his greatest efforts.

The resolution was finally carried by a vote of thirty to eight, only two members, both of whom would have voted for the resolution, being absent. As soon as the confederation resolution was passed the Hon. A. J. Smith moved a resolution which, after reciting the steps which had already been taken in favour of union with Canada, continued as follows:—

“THEREFORE, *Resolved*, as the deliberate opinion of this House, that no measure for such union should be adopted which does not contain the following provisions, viz.: first, an equal number of legislative councillors for each province; second, such legislative councillors to be required to reside in the province which they represent and for which they are appointed; third, the number of representatives in the federal parliament to be limited; fourth, the establishment of a court for the determination of questions and disputes that may arise between the federal and local governments as to

SMITH'S AMENDMENT

the meaning of the Act of Union ; fifth, exemption of this province from taxation for the construction and enlargement of canals in Upper Canada, and for the payment of money for the mines and minerals and lands of Newfoundland ; sixth, eighty cents per head to be on the population as it increases and not to be confined to the census of 1861 ; seventh, securing to each of the Maritime Provinces the right to have at least one executive councillor in the federal government ; eighth, the commencing of the Intercolonial Railway before the right shall exist to increase taxation upon the people of the province."

Mr. Smith supported his resolution in a lengthy speech in which he predicted increased taxation as the result of confederation. He said that the House, instead of being a deliberative assembly, had to surrender its judgment to the government. Confederation was a great experiment at best, and called for the exercise of other men's judgment. The government were going on in the most high-handed manner and were not justified in withholding information asked for. He elaborated the idea that Canada was pledged to issue treasury notes to pay present liabilities, and asserted that the government was altogether under the control of Canadian politicians. He insisted particularly on a provision in the Act of Union that each of the Maritime Provinces have an executive councillor in the federal government. Finally the vote was taken and the

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following amendment, which had been moved by the Hon. Mr. Fisher, was carried, only eight members voting against it :—

“Resolved, That the people of this province having, after due deliberation, determined that the union of British North America was desirable, and the House having agreed to request His Excellency the lieutenant-governor to appoint delegates for the purpose of considering the plan of union upon such terms as will secure the just rights of New Brunswick, and having confidence that the action of His Excellency under the advice of his constitutional advisers will be directed to the attainment of that end, sound policy and a due regard to the interests of this province require that the responsibility of such action should be left unfettered by an expression of opinion other than what has already been given by the people and their representatives.”

This ended the battle for confederation in New Brunswick, for what remained to be done was merely the arrangement of the details of the union by the delegates who had received full powers for that purpose. The session of the legislature, which must be considered one of the most important ever held in New Brunswick, came to a close on Monday, July 7th. At a meeting of the government held immediately after the prorogation, the Hon. Messrs. Tilley, Wilmot, Fisher, Mitchell, Johnson and Chandler were appointed to go to England as delegates for the purpose of meeting delegates from

THE DELEGATES IN ENGLAND

Canada and Nova Scotia, and framing the bill which was to be passed by the imperial parliament for the consummation of confederation. It was understood that there would be no delay on the part of the delegates from Canada, but Sir John A. Macdonald and the other Canadian delegates were unable to leave at the time appointed, and did not meet the Maritime Provinces delegation in England until many months after the latter had arrived there. This unfortunate circumstance produced much comment at the time, because it looked as if the government of Canada was treating the delegates of New Brunswick and Nova Scotia with discourtesy. Instead of the business being completed promptly, as was expected, and the bill passed by the parliament during the autumn season, the whole matter was thrown over until the following year, and the New Brunswick delegates, most of whom were prominent members of the government, had to remain in England for about ten months at great expense and inconvenience.

The delegates from the three provinces, Canada, Nova Scotia and New Brunswick, met at the Westminster Palace Hotel, London, in December, 1866, the Hon. John A. Macdonald in the chair and Lieut.-Col. Hewitt Bernard acting as secretary. The resolution passed at the Quebec conference held in 1864 was read, and amendments were moved in accordance with the suggestions made in the several legislatures during the discussions at the previous

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sessions. It was conceded by all that the Intercolonial Railway, by which facilities for interprovincial commercial intercourse should be secured, must be built by the united provinces and without delay. It was also conceded that in the provinces where separate schools were established by law, that principle should not be disturbed. In the discussion it was claimed that the sole right of imposing an export duty should be vested in the federal authority. This was objected to by the New Brunswick delegates, on the ground that as the people of that province had expended a large sum of money in the improving of the navigation of the upper St. John, they had to recoup themselves by imposing an export duty on lumber shipped from the province. A considerable portion of the income thus received was paid by the lumbermen of the state of Maine, the advantage derived by them from such improvements being very great. The claim thus presented by the New Brunswick delegates was conceded, and the province was permitted to retain the right. This right was abandoned after confederation, the Dominion paying therefor a hundred and fifty thousand dollars per annum to the New Brunswick government.

During the sitting of the delegates, which lasted for two months, many conferences were held with Lord Carnarvon, then secretary of state for the colonies, and the law officers of the Crown, in regard to objections which were taken to some of the reso-

THE BRITISH NORTH AMERICA ACT

lutions adopted by the delegates. The governor-general of Canada, Viscount Monck, was in London at the time, and was able to render valuable assistance during the conference, owing to his intimate knowledge of the previous negotiations at Quebec. The arrangements there made, in regard to the strengthening of the central government, founded on the experience of the United States during the War of Secession, were adhered to in the London resolutions and accepted by the imperial authorities. When the bill reached parliament some amendments were suggested, but when it was pointed out that the bill as presented was the result of the most careful consideration of both the imperial authorities and the colonial representatives, the suggested amendments were not pressed and the measure passed through both Houses with very little discussion. But one spirit seemed to animate both the imperial government and the members of parliament, and that was to give the provinces interested the fullest powers consistent with their relation to the Empire. The parliamentary opposition to the measure was much less than might have been expected, when it is remembered that the opponents of confederation had representatives in London, well able to present objections from their standpoint, who had the ear of Mr. Bright and other members of the House of Commons. Her Majesty took a deep interest in the measure and expressed that interest to members of

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the delegation, adding that she felt a great affection for her loyal Canadian subjects. While the bill was before the House of Lords, Messrs. Macdonald, Cartier, Galt, Tupper and Tilley were honoured by a private presentation to Her Majesty, at Buckingham Palace, and shortly afterwards all the members of the conference were presented at a drawing-room at the same place.

The New Brunswick delegates returned to Canada in the spring of 1867, having completed their labours, and the legislature was called together on May 8th. The business before it was of great importance, for the province was entering upon a new era as a member of the Canadian confederation, and the legislature was about to lose that portion of its powers which was delegated to the federal parliament. It is not, however, necessary to enter into any details of the work of the session, which was carried through without any particular difficulty, the Opposition being too weak to oppose seriously the measures of the government. It was felt on all sides that, as twelve members of the legislative council were about to become members of the senate of Canada, and as fifteen representatives were to be elected to the House of Commons, most of whom would come from the House of Assembly, a striking change would take place in the composition of the legislature, which would be deprived of the services of a large number of its ablest men. One of the important bills of the session was the passage

COUNTY COURT ACT

of the Act establishing county courts in the province, and in respect to this measure a difference of opinion took place between Mr. John M. Johnson, one of the delegates and member for Northumberland, and his fellow-delegates to England. He thought that the legislature had no authority under the terms of confederation, or from any understanding between the delegates while in England, to create county courts, while the other delegates held a different view. The Act was passed, however, and has proved to be one of the most useful ever placed upon the statute-book, relieving the supreme court of many cases, both civil and criminal, which would otherwise block its business, and enabling them to be disposed of more rapidly than before. The county court judges appointed under this Act were, with one exception, taken from the legislature, and this made another serious drain upon its experienced members.

CHAPTER XI

THE FIRST PARLIAMENT OF CANADA

THE British North America Act, by which the provinces of Upper and Lower Canada, New Brunswick and Nova Scotia were bound into a confederation, came into force by royal proclamation on the first day of July, 1867. When it is considered how vast and vital a change this measure brought about, it is surprising that it produced so little excitement anywhere. With the exception of one or two demonstrations which were made with flags by persons hostile to confederation, it was received in the province of New Brunswick, which had been so much excited during two elections, with perfect calmness, and although for some years afterwards there were always a number of persons opposed to union who predicted direful things from confederation, and thought it must finally be dissolved, the voices of such persons were eventually silenced either by death or by their acquiescence in the situation. To-day it may be safely declared that the Canadian confederation stands upon as secure a foundation as any other government in the civilized world.

In June, 1867, the Hon. John A. Macdonald, the leading spirit in the government of Canada, was

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entrusted by Lord Monck, then governor-general, with the formation of a ministry for the Dominion. Mr. Macdonald naturally experienced a good deal of difficulty in making his arrangements. In the formation of the first ministry much care was necessary; provincial and national interests were to be thought of and denominational claims had to receive some attention. But the greatest difficulty arose with respect to old party lines. Mr. Macdonald thought that these ought, as far as possible, to be ignored, and accordingly selected his men from the leading advocates of confederation belonging to both parties, placing in his cabinet seven Conservatives and six Liberals. The Liberals included the names of Mr. W. P. Howland and Mr. William MacDougall for Ontario. A large number of the Liberals of Ontario, including George Brown and Alexander Mackenzie, opposed this arrangement, called a public meeting in Toronto, and passed resolutions in favour of a strictly party government on the old lines. It declared hostility to the proposal for a coalition, and resolved to oppose Messrs. Howland and MacDougall, should they accept office under Mr. Macdonald. This decision was carried out, but these gentlemen were both elected by good majorities. In this first ministry there were five members from Ontario, four from Quebec, two from Nova Scotia, and two from New Brunswick: S. L. Tilley and Peter Mitchell.

FIRST CONFEDERATION MINISTRY

The wisdom of the course adopted will be apparent when it is remembered that the question of confederation was not settled or carried on party lines, some of the Conservatives opposing and some Liberals supporting it. This was clearly the case in New Brunswick, as shown by the last two elections held there. About one-third of the Liberal party, and a like proportion of the Conservative party, opposed confederation at the second election. To have formed the first government on a party basis would have necessitated the selection of some men who were opposed to the union, and whose efforts might not have been devoted to making it a success.

The first confederation ministry was a very strong one. The Hon. John A. Macdonald became premier and minister of justice; the Hon. George E. Cartier was minister of militia and defence; Alexander T. Galt was minister of finance; the Hon. William MacDougall was minister of public works; the Hon. W. P. Howland was minister of inland revenue; the Hon. A. J. F. Blair, president of the privy council; the Hon. Alexander Campbell, postmaster-general; the Hon. J. C. Chapais, minister of agriculture; the Hon. Hector L. Langevin, secretary of state. The Hon. Mr. Tilley became minister of customs and the Hon. Mr. Mitchell minister of marine and fisheries, while the two Nova Scotia representatives, Messrs. Archibald and Kenny, became respectively secretary of state for the provinces and receiver-general.

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It will thus be seen that the Maritime Provinces had four representatives out of thirteen members of the cabinet, and this proportion has generally been maintained since that time; so that the fears of those who anticipated that the provinces by the sea would not receive fair treatment in the distribution of high offices have proved to be groundless. On the contrary, it can be said that the Maritime Province members of the government appear always to have occupied a very influential position.

The office of minister of customs, which Mr. Tilley received, was thought by some of his friends to be less important than he deserved, they being of the opinion that he should have been made minister of finance. This office, however, went to Mr. Galt, who, owing to a difference with the rest of the government, resigned four months later, his place in the cabinet being taken by Sir John Rose, who held the office of finance minister until October, 1869, Sir Francis Hincks then receiving the appointment. It was not until the resignation of the latter in February, 1873, that Mr. Tilley became minister of finance. The office at first assigned to him, however, was one of great importance, involving as it did the reorganization of the entire establishment of the customs of Canada, and it gave ample scope for his great ability as a business man.

The elections for the House of Commons in the new parliament of Canada took place in August,

FIRST CANADIAN PARLIAMENT

when Tilley was chosen to represent the city of St. John, and John H. Gray, the county. It had been expected, in view of the fact that these men had been so largely instrumental in bringing about confederation, that they would be allowed to walk over the course unopposed. This was the case with Mr. Gray, whose candidature met with no opposition; but Mr. Tilley was opposed by Mr. John Wilson, who received a very small vote. This needless and futile opposition to the candidature of a man who deserved so well from the province, was merely one of the proofs of the existence of political rancour in the breasts of those who had been defeated on the confederation question.

The first parliament of united Canada met on November 6th, 1867, and the address was moved by the Hon. Charles Fisher, who had been elected to represent the county of York. The session was a very long one, lasting until May 22nd of the following year; but there was an adjournment, extending from December 21st to March 20th. This meeting of parliament was especially memorable, inasmuch as it brought together, for the first time, the representatives of all the provinces, and the ablest men of all political parties. The people of Ontario and Quebec were little known to the people of the Maritime Provinces, and those who resided in the larger provinces in like manner knew comparatively little of their fellow-subjects who dwelt by the sea. It was expected by some

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that the Maritime Province representatives would be completely overshadowed by men of greater political reputation belonging to the larger provinces, but this did not prove to be the case. The Maritime representatives at once took a leading position in parliament, and this position they have steadily maintained down to the present time. No man stood better in the House of Commons than the representative from St. John, the Hon. S. L. Tilley. At that time Her Majesty, the Queen, in acknowledgment of his services in the cause of confederation, had created him a Companion of the Bath, a distinction which was also given to the Hon. Charles Tupper, of Nova Scotia.

A vast amount of business had to be disposed of at the first session of the parliament of Canada. Although the Union Act embodied the plan upon which confederation was founded, it was necessary to supplement it by a great deal of special legislation, for the purpose of interpreting it and making preparations for the practical working of the constitution. In all the discussions relative to the measures which had to be passed at that time, Tilley took a prominent part, and, when the session was over, he had established in the House of Commons, as fully as he had in the legislature of New Brunswick, a reputation for ability as a speaker and as a man of affairs. He was looked upon as one whose wide knowledge of the needs of the province and whose experience in departmental work were

MINISTER OF FINANCE

likely to be of the greatest use to the confederation. His high character gave weight at all times to his words, and caused him to be listened to with the most respectful attention. During the whole period that Tilley sat in the House of Commons, he had the pleasure of knowing that even his political enemies respected his character and abilities, and, with the exception of the premier, perhaps no man wielded a more potent influence in the councils of the Dominion than he.

It is not necessary here to trace to any large extent the career of Sir S. L. Tilley in the parliament of Canada; that belongs rather to the history of the Dominion than to a work which deals particularly with his connection with his native province. Only so much of his public life in the House of Commons will be dealt with as seems necessary to complete his personal history. Tilley continued to hold the position of minister of customs during the whole of the term of the first parliament of Canada. This parliament held five sessions and dissolved in the summer of 1872, the general election being in the month of July, upon which occasion he was reelected for the city of St. John without opposition.

The second parliament met on March 5th, 1873. Eleven days before that time Mr. Tilley had become minister of finance, succeeding Sir Francis Hincks, who had resigned that office after holding it for more than three years. The advance-

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ment of Mr. Tilley to this responsible and influential position was very pleasing to his friends, and was received with satisfaction by the country generally.

The first confederation ministry of Canada resigned office on November 5th, 1873, under circumstances which are a part of the political history of the Dominion and need not be gone into in this volume, further than to say that, whatever basis there may have been for charges of corruption in connection with the Pacific Railway contract against other persons in the government, none were ever preferred against Mr. Tilley; nor did any one suspect or believe that he had anything whatever to do with the transactions which led to the resignation of the government. Prior to that event Mr. Tilley had been appointed lieutenant-governor of the province of New Brunswick in succession to the Hon. Lemuel A. Wilmot, whose term had expired. Every one felt that the honour thus bestowed upon Tilley was a most fitting one, for he was New Brunswick's foremost son in political life, and had reached his high position purely through his own ability and his own good character. That position he filled a greater number of years than any of his successors are likely to do, and it is admitted on all sides that no man could have performed the duties of the office more satisfactorily than he did.

CHAPTER XII

FINANCE MINISTER AND GOVERNOR

MR. TILLEY took up his residence in the old Government House, Fredericton, and he must have been struck with the changed aspect of affairs from that presented under the old régime, when lieutenant-governors were appointed by the British government and sent out from England to preside over the councils of a people of whom they knew little or nothing. Most of these former governors had been military men, more accustomed to habits of command than to deal with perplexing questions of state. They looked with a very natural degree of impatience on the attempts which the people of the province were making to get the full control of their own affairs. Under the old régime the governor was surrounded with military guards, and sentries paced the walks and guarded the entrances to the Government House. The withdrawal of the British troops from Canada before the lieutenant-governorship of Mr. Tilley commenced relieved him of any embarrassment in regard to dispensing with military guards and sentries; but all pretentious accompaniments of authority were foreign to his nature, and he always showed, by the severe simplicity of his life, that he felt he was one

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of the people, and that it was his duty as well as his pleasure to permit all who had any occasion to see him to have free access to him, without the necessity of going through any formal process.

When Mr. Tilley became lieutenant-governor of the province, he was fifty-five years of age, and he seems to have thought that his political career was ended, because, by the time his term of office expired in its natural course, he would have reached the age of sixty, a period when a man is not likely to make a new entrance into public life. But circumstances, quite apart from any desire on his part, made it almost necessary for him to change his determination, and during the summer of 1878, when the general election was imminent, he found himself pressed by his old political friends to become once more the candidate of his party for his old constituency, the city of St. John. There was great enthusiasm amongst them when it was announced that he would comply with their wishes, and that he had resigned the lieutenant-governorship. The result of that general election is well known. The Liberal party, which had succeeded to the government less than five years before with a large majority in the House of Commons, experienced a severe defeat, and the Hon. Alexander Mackenzie, seeing this, very properly did not await the assembling of parliament, but sent in the resignation of the ministry, and Sir John A. Macdonald was called upon to form a new government. In the cabinet thus constructed Mr.

THE PROTECTIONIST TARIFF

Tilley resumed his old office of minister of finance, and one of his first duties was to assist in the framing of a new customs tariff which was to give effect to the principle, upon which the election had been run, of protection to home industries. This idea of protection had not been heard of in the Canadian confederation as the policy of any political party until Sir John A. Macdonald took it up about a year before the general election, but it proved a winning card and was the means of giving the new government a long lease of power.

Sir Leonard Tilley's speech in introducing the new tariff was well received and made a strong impression upon all who heard it. It was admitted, even by those who were opposed to the views he held, that he showed a great mastery of the details, and that he illustrated in a very clear manner the view that the country was suffering because the duties imposed upon foreign goods were not sufficiently high to protect Canadian manufactures.

It is not the intention of this volume to deal to any full extent with the career of Sir Leonard Tilley during his second term of office as minister of finance of Canada. To enter into that phase of his career would be to relate the history of Canada, for he was but one member of the government, and not its leader. It is admitted that, in respect to financial questions, Sir Leonard showed the same ability that had characterized his career during his

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previous term of office, and he was looked upon by his colleagues as a man in whose judgment the utmost confidence could be placed. At this time, however, his health began to fail, and the disease which finally carried him off developed to such an extent that he was told he must cease all active work or his days would be shortened. Under these circumstances, it became necessary for him to retire from the severe duties of his very responsible and laborious office, and on October 31st, 1885, he was again appointed lieutenant-governor of New Brunswick, an office which he had filled with so much acceptance between 1873 and 1878. Sir Leonard Tilley continued lieutenant-governor during a second term, for almost eight years, or until the appointment of the Hon. John Boyd to that position. He was lieutenant-governor of New Brunswick for considerably more than twelve years, a record which is not likely to be equalled by any future lieutenant-governor for many years to come, if ever.

There was no event of particular importance to distinguish Sir Leonard Tilley's second term as lieutenant-governor. The Hon. Mr. Blair was premier of New Brunswick during the whole period, and there was no political crisis of any importance to alter the complexion of affairs. The only event in connection with the governorship which is worthy of being mentioned is the change that was made by the abandonment of the old Government House,

SECOND TERM AS GOVERNOR

at Fredericton, as the residence of the lieutenant-governor. This building had become antiquated, and in other ways unsuitable for the occupancy of a lieutenant-governor, and its maintenance involved a very large expenditure annually, which the province was unable to afford. It was therefore determined that in future the lieutenant-governor should provide his own residence, and that the amount spent on the Government House annually should be saved. Sir Leonard Tilley built a residence in St. John, in which he lived for the remainder of his life, and the seat of government, so far as his presence was concerned, was transferred to that city. Sir Leonard Tilley was always on the most cordial terms with the various premiers who led the government of New Brunswick during their terms of office. He knew well the strict constitutional limits of his office, and was always careful to confine his activities within their proper scope. The lessons of responsible government which he had learned in his early youth, and which had been the study of his manhood, enabled him to avoid those pitfalls which beset the steps of earlier lieutenant-governors.

During Sir Leonard Tilley's last term of office, and after its close, he abstained wholly from any interference with public affairs in the Dominion, and although he still remained steadfastly attached to the Liberal-Conservative party, he gave no outward sign of his desire for their success. This neu-

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tral position which he assumed in political matters had the effect of drawing towards him thousands of his fellow-countrymen who, in former years, had been accustomed to regard him with unfriendly feelings. They forgot the active political leader and saw before them only the aged governor, whose venerable figure and kindly face were so familiar at social or other gatherings, or whenever work was to be done for any good cause. In this way Sir Leonard Tilley grew to assume a new character in the public estimation, and at the time of his death the regret was as great on the part of those who had been his political opponents as among those who had been his associates in political warfare. This was one of the most pleasing features of his declining years, and one that gave him the greatest satisfaction, because it enabled him to feel that he enjoyed the affectionate regard of the whole body of the people.

Sir Leonard Tilley throughout his life gave great attention to his religious duties. He was a devoted member of the Church of England, and his attendance at its services was constant and regular. For several years before his death he was connected with St. Mark's congregation, and no cause, except severe bodily illness, was ever allowed to prevent him from going to church on Sunday morning. On many occasions, when his steps had grown feeble and his strength was failing, it was suggested to him that he should drive to church, but he always replied

HIS IMPERIAL HONOURS

that he would walk to church as long as he had strength left to do so, and that he would not have people harnessing up horses on the Sabbath Day on his account. This resolution he maintained to the end of his life. Sometimes, when he met an old acquaintance, as he toiled up the street which led to his favourite church, he would cheerfully greet him by saying, "John, this hill has grown steeper than it used to be," but he climbed the hill to the end, and the last Sunday he was able to be out of his bed he walked to church as usual. He also took a deep interest in all humane and philanthropic objects as well as in the great work connected with the spread of the Gospel. He was a constant attendant at the annual meetings of the British and Foreign Bible Society, and was a life member of that admirable association.

The honours that Sir Leonard Tilley received from Her Majesty, in recognition of his great public services, were very gratifying to his friends as well as to himself, and when he was made a Knight Commander of St. Michael and St. George, in 1879, his temperance friends embraced the first opportunity on his return to St. John to have a banquet in his honour, at which he wore, for the first time in public, the insignia of the knightly order of which he had become a member. There was probably no public event in the whole course of his life which gave him greater pleasure than this proof of the attachment of his old friends.

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Sir Leonard's last visit to England was marked by an extremely gracious invitation to visit the queen at Osborne, in the Isle of Wight. While he and Lady Tilley were sojourning at Cowes a message was sent summoning them to Osborne House, where they were received by Her Majesty in the beautiful grounds that surround that palace. The Princess Louise and Princess Beatrice, with an equerry in waiting, were the only other persons present. After an interesting conversation they were permitted to visit the private apartments of Her Majesty, and the Prince Consort's farm.

Sir Leonard Tilley was first married in 1843 to Julia Ann, daughter of the late James T. Hanford, who died in 1862. By her he had seven children, two sons and five daughters. In 1867, he married Alice Starr, daughter of the late Z. Chipman, of St. Stephen. By this marriage he had two sons, Mr. Herbert C. Tilley, of the Imperial Trust Company, who resides in St. John, and Mr. L. P. DeWolfe Tilley, barrister, who is also a resident of St. John. These two sons, Herbert and Leonard, were the prop and comfort of his declining years and were devoted wholly to him to the end.

Sir Leonard Tilley's second marriage was contracted at the time when he was exchanging the limited field of provincial politics for the wider sphere which confederation opened up to him in the parliament of Canada. It was a fortunate union, for it gave him a helpmeet and companion

LADY TILLEY

who was in full sympathy with him in all his hopes and feelings, and who was singularly well qualified to preside over his household, which, in his capacity of a minister of the Crown, had become, to a considerable extent, a factor in the public life of Canada. Lady Tilley had a high ideal of her duty as the wife of a cabinet minister and of the governor of New Brunswick, and was not content to lead a merely ornamental life or confine her energies within a narrow range. She saw many deficiencies in our appliances for relieving human misery, and with a zeal which could not be dampened, she sought to remedy them. The Victoria Hospital at Fredericton is her work; hers also is the Nurses' Home in connection with the Public Hospital in St. John, and the Reformatory for the care of bad or neglected boys, who are in danger of becoming criminals if they are not educated and disciplined when they are young. In every work of philanthropy Lady Tilley always took not only an active, but a leading part, and her position enabled her to enlist in the cause of humanity the energies of many who, under other circumstances, might not have given their attention to philanthropic work.

Sir Leonard Tilley for many years had suffered from an incurable disease, which had been mitigated by rest and medical treatment, but not removed. It was the knowledge of the fact that his days would be shortened if he continued in active po-

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litical life that compelled him to leave the government in 1885. For many years before his death the malady had been so far subdued that it gave him comparatively little trouble, but any unusual exertion on his part was almost certain to arouse it again to activity, so that he was prevented on many occasions from taking part in public functions which, under other circumstances, he would have been glad to attend. Still, he always contrived to take his daily walk, and few who saw him ever suspected that he was constantly menaced by death. For three or four years before his decease his strength had been failing, he stooped more as he walked, and it was evident that he was not destined to enjoy many more years of life. Yet during the spring of 1896 there was nothing whatever to indicate that the end was so near, for he went about as usual, and was able to preside at the annual meeting of the Loyalist Society which was held during the last week in May. On that evening he appeared very bright and cheerful, and he entered with much interest into the discussion of the details of an outing which it was proposed the society should hold during the summer. "Man proposes, God disposes." Sir Leonard had gone to Rothesay early in June to spend a few weeks in that pleasant spot, and he appeared to be in his usual health until the night of June 10th, when he began to suffer great pain from a slight cut which he had received in the foot. The symptoms became alarming and gave indications of

LAST ILLNESS AND DEATH

blood poisoning, a condition due to the disease from which he had suffered so many years. On June 11th, he was taken to Carleton House, his town residence, and from that time the doctors gave no hope of his recovery. It was one of the sad features of his illness that his life-long friend and physician for many years, Dr. William Bayard, was unable to attend him, being himself confined to his bed by illness.

After Sir Leonard Tilley reached his home in St. John he never rallied, and he was well aware that his end was near. He was attended by Dr. Inches and Dr. Murray McLaren, but he was beyond medical aid, and therefore the people of St. John, for several days before the event took place, were aware that their foremost citizen was dying. The time was one of great excitement, for the general election was near, yet the eyes of thousands were turned from the moving panorama of active life which passed before them to the silent chamber where the dying statesman was breathing his last. The regret and sympathy that was expressed was universal, and in their kindly words those who had been his life-long political opponents were not behind those who had been his friends. Sir Leonard Tilley died at three o'clock on the morning of June 25th, the second day after the general election which brought about the defeat of the party with which he had been so long identified.

SIR LEONARD TILLEY

His death evoked expressions of sympathy and regret from all parts of the empire and from many states of the union. The letters and telegrams of condolence which Lady Tilley received during the first days of her widowhood would of themselves fill a volume, showing how widely he was known and respected. The funeral, which took place on the Saturday following his death, was one of the largest ever seen in St. John, and was attended by the Board of Trade, the Loyalist Society, the various temperance organizations, the members of the provincial government, and a vast concourse of prominent citizens. The services took place at St. John's Episcopal Church, and were conducted by the rector, the Rev. John deSoyres, assisted by the Rev. R. P. McKim, rector of St. Luke's Church, with which Sir Leonard had been identified in his earlier years. The interment took place in the Rural Cemetery. Many references to the decease of this eminent man were made from the pulpits of St. John and other parts of the province on the Sunday following his death, and all the newspapers had long notices of the event and editorials on his life and character. We may fittingly close this work by quoting a portion of what was said of him by the St. John *Telegraph*, a paper that was politically opposed to him for many years:—

“It is greatly to the honour of Sir Leonard Tilley that no scandal, public or private, was ever attached to his name. A consistent temperance

HIS EMINENT SERVICES

man to the end of his life, he was faithful to the cause which he had espoused when he was young, and he enjoyed the confidence and received the steady support of a vast majority of the temperance men of the province, who looked upon him as their natural leader. His capacity for friendship was great, and his friends might be numbered by thousands, for he had a peculiar faculty of strongly attracting men to himself. This may be ascribed, in part, to the magnetism of a buoyant and strong nature, but it was more largely due to the extreme simplicity of his character, which remained wholly unspoiled by the favours which fortune had showered upon him. No man, however humble, had any difficulty in obtaining an interview with Sir Leonard Tilley; he was every inch a gentleman, and was, therefore, as polite to the poorest labourer as to the richest in the land. Such a man could not fail to be loved even by those who had been his most bitter opponents in former years, when he was in active political life.

“It is one of the drawbacks of this human life that the wise, the learned, the good, and those whom we most love and honour, grow old and feeble, fall by the wayside and pass away. So while we lament the death of Sir Leonard Tilley, we must recognize it as an event that was inevitable, and which could not long have been postponed. His lifework was done; his labours were ended; his active and brilliant career was closed; he was

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but waiting for the dread summons which sooner or later must come to all. The summons has come, and he has gone from among us forever. His venerable, noble face will no longer be seen on our streets, his kindly greeting will no longer be heard. But his memory will live, not only in the hearts of all his countrymen, but enshrined in the history of this his native province, and of the great Dominion which he did so much to create, and which he so fondly loved."

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